The Nation.

NEW YORK, THURSDAY, DECEMBER 26, 1895.

The Week.

THE full text of Lord Salisbury's reply to Secretary Olney on the merits of the boundary dispute itself, as distinct from the Monroe fantasticalities, is printed in the *Congressional Record* of December 17. It is a statement of the British case such as has never before been made public. Mr. Olney, as Salisbury justly observes, had proceeded upon the basis of purely ex-parte Venezuelan representations; his historical argument is taken over bodily from the Venezuelans, as any one may see who will consult Senate Ex. Doc. No. 226, 50th Congress, where the whole of it appears in substance. That argument is now traversed by Lord Salisbury in a way sufficiently to account for Mr. Olney's turning tail. He set out by roundly affirming that the Venezuelans were right. After reading Salisbury's reply, he says he will have an investigation and see if they were right. An argument that has thus made the valiant Secretary eat his own words is surely worthy of consideration even by the war-crazed.

The Venezuelan claim that the territory is not British because the Spanish discovered America, is briefly dismissed by Lord Salisbury as both too vague and too sweeping: as well claim under the bull of Alexander VI. But the Venezuelans allege a specific decree of the King of Spain in 1768, describing Guiana (the then Spanish province of that name is meant) as bounded on the south by the Amazon and on the east by the Atlantic. This proves too much, as it would imply the right of Venezuela to all of British, French, and Dutch Guiana, as well as an enormous tract of Brazilian territory. Moreover, this decree cannot be supposed to have overlooked the Dutch settlements formally recognized in the treaty of Munster, 1648. Furthermore, though the Spanish Government was a party to the treaty of 1814, under which the Dutch settlements were definitely ceded to England, and though the frontiers claimed by Great Britain were perfectly well known to it, at no stage of the negotiation did it interpose any objection. Back of all these late and shadowy Spanish claims, however, Lord Salisbury goes to produce evidence which, if uncontradicted, is absolutely decisive about the Dutch, and hence the English, right to the Cuyuni River—the very territory which is now alone in serious dispute. In 1759 and again in 1769 the States General of Holland addressed formal remonstrances to the court of Madrid against Spanish incursions into the basin of the Cuyuni. These protests were never answered, and an examination of the Spanish archives reveals the fact that the Council of State concluded that it had nothing to offer in rebuttal. Lord Salisbury cites textually the opinion of the Council that the Spanish title to the Cuyuni was "very improbable." He also intimates generally that "researches in the national archives of Holland and Spain have furnished further and more convincing evidence in support of the British claims."

How criminally rash and insensate, in view of all this, appears the President's flat-footed assertion to Congress in his message of December 3, that Great Britain was proceeding "in derogation of the rights of Venezuela." That he has now to abandon that ignorant and reckless contention, and meekly admit that he does not know what the rights of Venezuela really are, makes his threats of war doubly disgraceful. What does he or Secretary Olney know of the documentary evidence in the Dutch and Spanish archives? What will his ridiculous commission know, who are to sit and gayly settle the whole thing on the basis of the evidence in the State Department at Washington? One comfort is that no lawyer with a reputation extending beyond the backwoods will consent to sit on such a commission unless all the evidence obtainable anywhere is to be laid before it. The result may be such another complete smashing of the American case as we suffered in the Bering Sea matter. The Russian archives lamentably failed Mr. Blaine in that affair, and it may well be that the Dutch and Spanish archives may equally bring Mr. Cleveland to grief. As far as his humiliation is concerned, that he has already himself provided for in full measure.

As was to have been expected, the President's conversion to the Jingo view of the Monroe Doctrine has had an electrifying effect upon all the South American republics. They are all "out gunning" for wars and revolutions, marching through the streets of their capitals, cheering and shouting and declaring their determination to fight all creation, and especially all European Powers with which they may be at odds, because now they feel sure that the United States will take their side in every such shindy. What a prospect this opens for us! Endless wars over petty disputes with which we have nothing to do and about questions which in no way concern us. A movement is said to be on foot for a conference of all the South American republics on the subject of the Monroe Doctrine, with a view to bringing them into line under it, with the United States as the champion and protector of all of them. We should need, as Prof. Burgess points out in the *Evening Post*, a standing army of 500,000 men, a navy of 500 ships, and a war expenditure of $1,000,000,000 a year to sustain this rôle, and we should also have to give up all other business and devote ourselves exclusively to war.

That President Cleveland has been his own executioner is made clear by contrasting what he said in 1893 with what he says now. In his message of December 18, 1893, he affirmed:

> "The law of nations is founded upon reason and justice, and the rules of conduct governing individual relations between citizens or subjects of a civilized state are equally applicable as between enlightened nations."

Now he says:

> "To-day the United States is practically sovereign on this continent, and its fiat is law. Why? It is *not* because of the pure friendship or good will felt for it. It is not simply by reason of its high character as a civilized state, nor because wisdom and *justice* and equity are the invariable characteristics of the dealings of the United States. It is because its infinite resources, combined with its isolated position, render it *master of the situation* and practically *invulnerable* as against any or all other Powers."

Was there ever such another case of a civilized man throwing away his clothes and joining the howling savages? Mr. Cleveland says now just what Debs said in the summer of 1894. Law or no law, Debs and his fellow-anarchists gloried in being "masters of the situation." It is a melancholy thing to find the President who put them down with a firm hand, now displaying himself as the greatest international anarchist of modern times.

We have received some inquiries as to what our explanation is of Mr. Cleveland's extraordinary break with his own best traditions, and his apparent indifference to the objects which he once seemed to have greatly at heart. We have no theory about the matter which we can support with any proof. The one which meets with most acceptance is that it has been urged on him by his party managers that something must be done, in preparation for the coming canvass, to put the Democratic party on its legs, seeing that it is now, owing to its utter failure with the finances, and its widespread alliance with villains and humbugs, a complete wreck; and that he has done what plenty of politicians have done in like cases before now, and what Mr. Seward recommended Mr. Lincoln to do—got up a foreign rumpus to turn attention away from home affairs, and rally to the support of the party the great army of the unthinking and chromo-patriotic and penniless. The puzzle of this is, that in so doing he has ruined the cause to which he has for the

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past three years rendered such noble service, and to which he sacrificed nearly everything else, including civil-service reform. In fact, he bids fair to go out of office with the reputation of a great financial wrecker.

What a picture the Jingoes present as they fall in line "behind Cleveland," whom for months and years they have been denouncing as the exponent of all that was most detestable in American statesmanship. He has adopted all their arguments, stolen all their thunder, and they find themselves obliged to rally around him and throw up their hats and fill the air with huzzas for him. Think of it! Chandler and Lodge and Frye, Morgan and Livingston and Hill, circling hand in hand around Cleveland and cheering him till their voices crack! How keenly they must enjoy it, and with what conscious pride must he view this accession to the ranks of his admirers! With every Republican newspaper in the country singing his praises, with the *Tribune* announcing by special cable message from London that "Mr. Cleveland has been an English idol, but he is now dethroned," what reason will the Republicans have for opposing him next year? Cleveland cannot be denounced again as an un-American candidate, the Republicans cannot claim to be the only true American party, and cannot claim a monopoly of the American flag as a campaign emblem.

It is a relief to turn from the average slang-whanging editorial article of the day on the subject of our relations with foreign nations to one that embodies some reflections that are really worth consideration by a sensible man. Such views we find in the answer given by the Memphis (Tenn.) *Commercial Appeal* to a question that it asks, which must have occurred to many thoughtful people: "Why is it that the term 'Americanism,' as it is currently used in a large number of newspapers, has come to convey the idea of a dog, with tail erect and bristles raised, eager for a debate with some other dog?" The editor neatly shows the patness of the comparison, and points out that "every dog that is worthy of the name is a natural-born Jingo and full of the spirit of 'true Americanism,'" so that "he only needs to be taught to walk on his hind legs to be a fit candidate for the United States Senate from New Hampshire or Massachusetts, or to edit a Republican paper in Boston or New York." But why, the Memphis journal persists, should our patriots be "furiously angry with every nation on earth," and why does such a state of feeling exist in "a country that has so few causes for international jealousy or ill-will, and the largest opportunity ever given to a great and enlightened nation to cultivate feelings of fraternity"? There must be a reason for all this, and the *Commercial Appeal* finds it "in the policy of trade exclusiveness so diligently fostered and so long maintained in this country"—a policy which has "called to its aid every evil passion it could excite." It arrayed one section of the country against the other by teaching the Northern people that, in advocating lower taxes, the Southern Democrats were trying to disrupt the Union; and it strove to strengthen its argument against foreign competition by cultivating prejudice against all foreign countries, and representing "all the nations of the earth as being leagued to break down the tariff breastworks and ravage the land with foreign goods." The natural end of all this has been that "to teach hatred and hostility to other nations, to find an enemy in every stranger, and to fill their own land with imaginary traitors, has become second nature with a large class of Republican politicians and newspapers." This is certainly a strong argument. We should like to see the Jingo editors tackle it.

We doubt if the voice of the clergy has been so emphatic since the firing on Sumter as it was on Sunday. It spoke in a tone of as pure and ardent patriotism, too, as it did in 1861—as faithfully expressing now the horror in which the moral sense recoils from the wicked war talk of President and Congress as it did then the general alarm that threatened disunion. And the sermons were remarkably outspoken. Few of them were content with mere platitudes about peace. The directness and force with which the ablest clergymen in this city and throughout the country, as far as reported, addressed themselves to Mr. Cleveland's betrayal of the nation, were refreshing. There was little of the Congressional chaplain's mumbling about "an honorable peace," but a deal of plain talk about a dishonorable and traitorous attempt to imperil peace. Bishop Potter's characterization of the whole Jingo herd as "pinchbeck patriots" ought to stick to them. Nor were the congregations behind the preachers in reprobating the President's mad appeal to the basest passions of the mob. He got his fill of the bray of the mob on Wednesday and Thursday; on Friday and Saturday he was overwhelmed with the execrations of business men; on Sunday he received the most unanimous and crushing rebuke that the pulpit of this country ever addressed to a President. He made his appeal to the conscience of the mob; he has now heard from the conscience of the God-fearing people, and their judgment upon him leaves him morally impeached of high crimes and misdemeanors.

Gen. Lew Wallace ('Tale of the Christ') and Gen. O. O. Howard (Christian Soldier) are both furious for war. This they have a perfect right to be, but they have no right to mix up sanctimonious Christian phrases with their pagan war-whoops. Says Gen. Howard: "We are Christians; we both worship the same God and believe in the same Saviour, and war should not be; *but, for all that*, Cleveland has taken the right position, and there we should stand." In other words, Christian professions and sentiment are all very well for prayer-meetings and international Young Men's Christian Association gatherings, but if it is a question of getting back to the position and ethics of Sioux Indians for the sake of bringing on a war, just count upon us every time.

The prayer of the chaplain of the House on Friday was another illustration of the way the fighting parsons think they can disguise their real objects from the Deity. His prayer at the opening of Congress, that we might "be quick to resent insults to this our nation," was combined with a prayer for "peace within our borders," thus making an excellent after-dinner joke, which was wholly out of place in a prayer. Anybody whom the Almighty makes quick "to resent insults" can never have peace within his borders. On Friday the same chaplain prayed that we might have peace, "but let it be honorable peace," pretending to fear that the Almighty, by keeping him from fighting, would inflict a dishonorable peace on him. Now, we warn all fighting parsons that by no form of words can they conceal from the Deity what they are up to. The petitions reach the Throne of Grace stripped of all rhetorical drapery, in their naked barbarity. Here is the form in which their prayer arrives at its destination—"O Lord, grant that we may be able to kill plenty of our enemies and destroy their property for any reason that may seem good to ourselves." The "patriotism," and the "self-respect," and the "honor," and all the other tinsel and shabby finery in which these gentlemen invest their war-whoops, never reach the upper air of divine peace and love. Nobody is imposed on by these blasphemous harangues, while many are deeply disgraced. But the chaplains are not alone to blame. All Jingoes who try to clothe simple hatred of England or any foreign nation with the sacred name of love of country, or patriotism, are as great humbugs as the chaplains. A desire to invade Canada and kill Englishmen through simple dislike, differs in no respect, except intensity, from the feeling with which the Iroquois used to start out on the war-path to kill the Mohawks. It is simple desecration to call this truculent savagery the patriotism of the modern civilized man. The patriotism of the modern man, and above all the American man, is a desire, not to wade in enemy's blood, but to make his country preëminent in the arts of peace. It is one thing to defend one's house manfully if compelled, but quite

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another to wander about among the bar-rooms in order to chastise anybody who seems likely to insult you.

All the London correspondents of New York papers are unanimous as to the effect upon the Armenian question of the Jingo war with England. One of them quotes an Armenian organizer as saying: "The hope of England's doing anything there has perished altogether, and the Armenian sympathizers here who are really in earnest are plunged into the depths of despair." Another declared: "Whatever else may be said, President Cleveland has come to the rescue of the unspeakable Turk. The Eastern question has dropped out of sight. The Sultan has ceased for a week to be a prominent figure in the eyes of Christendom. He has escaped observation, and has been left at liberty to order additional massacres of Armenians and continue the process of pacifying rebellious provinces by bloodshed and rapine." The latest news bears evidence that the Sultan has not been slow to "catch on" to the change in the situation, for it reports the attack upon Zeitun by Turkish troops, and the barely successful resistance of the Armenians in the place. Of course England cannot look out for the Armenians while she has a war with us on her hands. The only way by which the United States could exert any influence upon the Sultan was by giving our moral support to England in the matter, but we cannot fight England over a boundary-line dispute in Venezuela—a country in which there are no American residents—and at the same time join hands with England for the protection of the Christians in Armenia, among whom there are several hundred American citizens; so we have turned the Christians over to the Turk, and he is dealing with them in a style barbaric enough to suit the wildest Jingo.

We take the following from a circular of Dow, Jones & Co., issued just as the present deviltry was beginning:

"Some of the people who have been quoted as favoring war measures, say privately that it *does not do to appear unpatriotic*, but they personally think a great mistake has been made. At the Union League Club last night, a gentleman who made inquiries found the sentiment almost universal that a great mistake had been made, and that the language used by the President was entirely out of keeping with the subject. We have taken some pains to ask for opinions, and, *while nobody wants to be quoted*, practically everybody asked regrets the stand taken by the President and expresses disgust over the whole business."

We wish to say to those who are now so indignant over our present situation, that they will find in the above few lines the explanation of the greater part of the trouble. A large proportion of the intelligent and educated men of the country who are, or ought to be, in charge of our highest national interests, both moral and financial, in ordinary times, year after year, remain perfectly silent and apparently acquiescent while demagogues, ruffians, and ignoramuses fill the air with abuse of foreign nations, and threats to whip them, while the very children in the public schools are brought up to hate them, and consider the highest and most glorious duty of the patriot to kill them and burn their houses. Every rational man knows that this cannot go on for years and years without some day bringing on a crisis such as that in which we are now wallowing; and yet how many ever have the courage to raise their voices against it? Why, any blackguard can rise up and with perfect impunity make his own ravings about foreign affairs the only true expression of patriotism, and the best men in the community will not dare to tell him that he is a repulsive donkey. The unfortunate *Tribune*, just issuing from a patriotic debauch, is to-day declaring against "war talk." "War talk" is mainly harmful for the effect it produces on foreigners, as we now see. The war talk of idiots among themselves is innocuous. But war talk does not consist simply in abuse of a particular nation. It consists in threatening interpretations of the Monroe Doctrine; in blatherskite newspaper demands for a "vigorous foreign policy"; in instantaneous endorsements, without debate, of a minatory message; and in fact in everything which indicates national excitability, irrationality, and hysteria. We cannot afford to destroy all confidence abroad in our steadiness, calmness, and common sense. We are all business men, but foreigners will not do business with people whose mental soundness they suspect—and much of our current "patriotism" is a thinly veiled form of insanity.

Speaker Reed's committees attract no more attention than the gambols of the squirrels in Central Park. In comparison with the issues of peace and war with which the air is filled, they are of no consequence whatever. The committee on foreign affairs would have been very important if the House had not abdicated beforehand so much of the control over foreign affairs as the Constitution lodged in Congress—that is, the war-making power. By rushing blindly at Mr. Cleveland's heels, it did all that it could to clothe him with its own powers, and now it stands before the country naked. It will not recover from this exposure. If the country is saved now, it must be by the sober sense of the people. The tonic must come from the pulpits, the counting-rooms, the colleges, and—alas, that we should need to say it—from the socialists, who have been among the first to denounce the unholy and uncivilizing steps taken at Washington last week. The reformation must come from the bottom up. It will reach the committee on foreign affairs in due time, but not soon enough to save the reputation of its members.

As to the ways and means committee, it has gone to puttering over the tariff as though that could help anybody except a few special interests which want to seize this opportunity to plunder the public. If Mr. Cleveland has a grain of self-respect left, he will veto their bill. Probably they expect that he will. Probably they intend that he shall. This committee of ways and means is penetrated with the belief that the only thing needed by the Treasury is more revenue in general, whereas it needs gold and has no means of getting it, since Mr. Cleveland and Congress together have shocked the moral sense of the world by their senseless vaporings about Venezuela. The fact is, we have not a friend in Europe to-day. From France, Germany, Italy, Spain, and every other country that has a free press the word comes that we are in the wrong. The Jingoes thought that the peoples of Europe were as immoral as themselves, and that they would be glad to see England bullied by somebody. It turns out that they cannot tolerate a mere bully in their company. They cannot permit such doctrines as those put forward by Mr. Cleveland to prevail in the world's councils, because those doctrines may turn up at any time to their own detriment. Here is something for the committee on foreign affairs to chew over. The head of that committee has held a diplomatic position. Mr. Hitt knows what positions can be safely taken and what cannot, but he has not dared to say that his soul was his own up to this time. He may recover the power of speech later. Meanwhile there is reason to believe that an end has been made of the Presidential prospects of every man in Congress who has acquiesced in Mr. Cleveland's mad prank either by words or by silence—and that means all of them except Boutelle, if he had any such prospects.

All who believe in decent politics will rejoice over the assurance from Kentucky that Senator Blackburn cannot possibly secure a reëlection from the new Legislature. That body, as made up since the recent second election in a Louisville district, is evenly divided between the Republicans and the Democrats, allowing each of the great parties one of the two Populist members, as is justified by their prepossessions and affiliations. No Democrat—and, for that matter, no Republican—can secure an election to the Senate who has not behind him the solid strength of his own party. Blackburn cannot secure that strength on the Democratic side. Mr. Carroll, the Louisville member who has been twice given a seat in the Legislature by his district, has personally assured hard-money Democrats that he will never cast his vote for Blackburn, whatever action the party caucus may take. That tiresome blatherskite is, therefore, sure to be retired a year from next March,

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THE REAL PROBLEM.

WHAT constitutes the gravity of the present crisis is not that we are issuing a commission of inquiry concerning matters of deep interest to us, but that we are issuing it as a hostile proceeding, with a threat of war behind it. What we are going to investigate, therefore, is not whether there is wrong on the British side, but what is the extent of the wrong. We are asking, too, a first-class power to acknowledge our right to trace her frontier in defiance of her own claims and in territory which does not belong to us. Is there any way out of this but war?

A large number of persons who are now applauding Mr. Cleveland's action answer this question by declaring that they may safely applaud, because there will be no war, as Great Britain is sure to back down. It is this belief that Great Britain will submit to anything rather than fight, which in our eyes constitutes the real danger of the situation. Our orators, writers, and teachers, even, have been sedulously spreading it for years, with the risk that the public and our public men would come to view bullying Great Britain with such levity that we should be some day landed in the difficulty in which we now find ourselves. For we might have ascertained the rights and wrongs of the Venezuelan matter officially and for our own information, in a friendly spirit, in civil language, and without threats or foregone conclusions. But in our way of asking for the evidence we have in the same breath acknowledged our ignorance of the facts and insulted one of the parties.

The minatory part of the Presidential message is purely gratuitous, and therefore desperately wicked. It was not necessary for a commission of inquiry, and in fact tends to defeat its object, while, according to the diplomatic usage of civilized countries, it means war. If Bismarck had written it, it would probably have been accompanied by mobilization. The opinion that we can get out of this without fighting or great humiliation comes in the main from newspaper editors who expect to make money out of the row, or from persons who know so little of England and foreign nations, or foreign affairs generally, that it would be waste of time to listen to them. No first-class power could possibly take notice of our commission, or appear before it, or pay any attention to its finding, after the way in which it has been presented to it.

In our belief, therefore, it is the duty of all patriotic men, and especially of business men—the work of congratulating the President on his stupendous folly being over—to come down to business, and see what is the prospect which they have to face in the probable event of war with Great Britain. Most of those who are "hollering" to-day probably fancy that we should all, barring the fighting men, find ourselves as comfortable in such a war as in the one with the South—that is, with an active business, plenty of money, open ports, full theatres, and exciting "extras." There could not be a greater mistake. We are only just recovering from a severe panic, and our currency is still trembling on the edge of a chasm. The mere existence of a minatory commission during the next six months of a "Presidential year" will retard if not wholly stop the process of recuperation, if it does not land us on a silver basis, and will cause heavy withdrawals of foreign capital from our securities. The war, unlike our last, will be a naval war, and the inferiority of our naval forces is so great that we have the authority of the General of the Army, in his last report, for saying that our navy could not possibly prevent the blockade of our whole coast within ten days, and the levying of ransom on every one of our Atlantic cities, including New York, on pain of bombardment. Our Jingo papers in this city would probably have to do their "hollering" at Yonkers or Peekskill. Not only would our ports be closed, and our coasting trade stopped, but a foreign trade of about $1,600,000,000, on which our agriculture and manufacturing industry are largely dependent, if not for success, for prosperity, would cease at one blow. Immigration and travel would both come to an end, and the national mind would be wholly turned away from civilizing agencies, from trade, commerce, currency, and manufactures, from art, literature, and science, and be concentrated on the accounts in the extras of the daily work of slaughter and destruction and the gradual rising of the tide of barbarism. The forced cessation, too, of work in every sort of enterprise, either through want of confidence or the loss of markets, would fill every town in the country with furious unemployed, with their heads full of socialism; and part, and a large part, of the work of our troops would be the protection of railroads, factories, and "princely mansions" from the attacks of hungry mobs. One of the delusions of the Jingoes has been for years that in fighting England we should be able to make up for our naval inferiority by attacks on her commerce at sea. This was true, in a measure, of the war of 1812. But, if there be any thoughtful men among Jingoes, they will remember that the whole conditions of maritime intercourse have changed since then, and that this weapon of offence has been practically taken away from us by the substitution of steam for sailing vessels. Merchant vessels are now steamers, and have to be chased by steamers, and we have no swift ones and no coaling-stations on the track of British commerce.

We know very well that there are Jingoes so afflicted by Providence that the more you tell them of the losses that war would occasion, the more eager they are for hostilities to begin; their notion being that, when you go to war, it is base and mean to count the cost. They think, like Louis XIV. or Napoleon, that there is nothing like fighting for "honor," and revel in the thought of the misery in which they will plunge other people. But we do not believe the mass of American business men have been converted all of a sudden into crack-brained Parisians. Who in listening to the Jingo yells these fine mornings can avoid hearing through the mist of years those other Jingo yells which started the Parisian crowd on the road "to Berlin," or asking themselves what war for "self-respect and honor" has ever been begun, continued, or ended without making its originators and promoters objects of execration to all subsequent generations?

THE VENEZUELA CORRESPONDENCE.

OUR share in the Venezuela correspondence is not calculated to flatter the national vanity. Some change has evidently come over our policy since the death of Secretary Gresham. He was very diligent in circulating from the State Department copies of the Monroe Doctrine as enunciated by Monroe, in defence of his abstention from meddling, as the Jingoes wished him to do, in the Nicaragua affair. Thousands of copies of a pamphlet of its own, and thousands of copies also of the *Evening Post's* reprint of Prof. Moore's essay on the Doctrine, were sent out by the Department. All this adhesion to the Doctrine, pure and simple, ceased when Secretary Olney came in. Since his accession, textual references to it have wholly stopped, and we have been treated to a series of glosses and additions of a highly explosive character, to which one of our correspondents has given the name of the "Cleveland Doctrine." The simple text has been withheld from the faithful as carefully by the Administration as by the newspaper Jingoes, whom we taunted so much on this point, and Mr. Olney's and the President's interpretations have been given forth to the world as the pure milk of the word.

The first intimation we got of what was brewing was the announcement in the President's message that we were opposed to "the forcible increase by any European power of its territory on this continent"; that Great Britain was actually guilty of this offence, as it was trying "to enlarge the area of British Guiana in derogation of the rights and against the will of Venezuela." This positive pronouncement on the merits of the controversy had two consequences. It made it impossible for us to act as arbitrators if arbitration there should be, and it left, in our judgment, nothing to arbitrate. Great Britain was wrong and Venezuela was right. Having thus declared ourselves frankly on the Venezuelan side, we called on Great Britain in a threatening manner to say categorically whether she would arbitrate in a case in which we had already decided for ourselves. In other words, after having become a party to the controversy without invitation, we

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called for compulsory arbitration. We presume no thinking American familiar with the usages of civilized international intercourse read this bit of self-stultification without a touch of shame.

But worse was to come. The President in his message to Congress on Tuesday week abandoned Monroe wholly, and produced the "Cleveland Doctrine," which is "the recognition of those principles of international law which are based upon the theory that every nation shall have its rights protected and its just claims enforced." The confusion of thought and language here is remarkable. There is no principle of international law which provides protection for every theory and claim which any nation may make for itself. International law protects only such claims and theories as the civilized world has accepted as just and right. Pope Alexander VI., by a bull of May 4, 1493, gave everything west of the Cape Verde Islands to Spain and Portugal, and under it these Powers long "claimed" the whole American continent. Great Britain used to "claim" the exclusive jurisdiction in the narrow seas around the island, and the right to seize belligerent goods in neutral bottoms, and to seize British sailors on board neutral vessels. We, too, have claimed possession of Bering Sea. But international law knows nothing of claims like these. In that forum every valid claim has to be based on consensus. Whatever be the value of the Monroe Doctrine or the Cleveland Doctrine, therefore, it is not binding on any foreign Power until it has accepted it. The Cleveland Doctrine will be good international doctrine when other nations have agreed to it. Until then it remains, as regards foreign nations, exactly what the Spanish title under the Pope's bull was—only something to fight for. It has whatever force we choose to give it in arms, and no more. To ask for more, without negotiation or agreement with the South American or other states, is childish.

In the same message the President again humiliates us by his self-contradictions. He repeats his demand that Great Britain must submit to arbitration, after having pronounced against her claim; and after insisting that any enlargement of the area of foreign territory on this continent would be injurious to "our peace and safety as a nation, the integrity of our free institutions," etc., and should be resisted if necessary, he calmly admits that "any adjustment of boundary which Venezuela may deem for her advantage, and may enter into of her own free will, cannot of course be objected to by the United States." That is, Venezuela may, by private arrangement with Great Britain, imperil "our peace and safety as a nation," "the integrity of our free institutions, and the tranquil maintenance of our distinctive form of government"! The rhetoric of the closing paragraph of the message is worthy of the logic of the earlier part, and forcibly and clearly indicates the object of the whole composition.

Secretary Olney's argumentation is even more confused than that of his chief. He lays down, as "an admitted axiom of international law," that a nation may interpose in a controversy between other nations, but omits to mention that international law takes no notice of any interference which is not asked for by the parties to the controversy. He also produces, as if it were law, the right to interfere when its own "integrity and tranquillity" are menaced, but this is simply the right to go to war when it pleases, which has never been denied to any nation except by the insane. The Monroe Doctrine he defines thus:

> "The precise scope and limitations of this rule cannot be too clearly apprehended. It does not establish any general protectorate by the United States over other American states. It does not relieve any American state from its obligations as fixed by international law, nor prevent any European power directly interested from enforcing such obligations, or from inflicting merited punishment for the breach of them. It does not contemplate any interference in the internal affairs of any American state, or in the relations between it and any other American state. It does not justify any attempt on our part to change the established form of government of any American state, or to prevent the people of such state from altering that form according to their own will and pleasure. The rule in question has but a single purpose and object. It is that no European power or combination of European powers shall forcibly deprive an American state of the right and power of self-government, and of shaping for itself its own political fortunes and destinies."

But from this he deduces an extraordinary assortment of other doctrines. One is, that our non-interference in European conflicts demands, as some sort of reciprocity, the defence by us of the independence of all American states. Another is, that "the United States is practically sovereign on this continent, and its fiat law"—which is the first assertion of sovereignty over the whole hemisphere since the Pope's Bull, and, of course, makes us responsible for all wrongdoing from Canada to Cape Horn. Another is, that we must be distrustful of and hostile to European powers, as a lesson of experience. Another is, that any attempt forcibly to assume "political control" over an American state is an injury to the United States, and that the inclusion of Great Britain's dispute with Venezuela in this category "presents no real difficulty."

Passing over the Secretary's remarks about Africa and the danger of similar conditions arising on this hemisphere, we come to his conclusion that we must, in a supposed condition, be "armed to the teeth, convert the flower of our male population into soldiers and sailors, and thus annihilate a large share of the productive energy of the nation." What is all this correspondence about? It is a question whether the boundary line of Venezuela and British Guiana runs a few miles this way or that way—a matter which is no concern of ours anyway; but suppose it were our concern, and that the decision were against Venezuela, no matter how the decision were reached. Would the effect upon us be of the appalling nature described? Must we at once arm ourselves to the teeth? Must we convert the flower of our male population into soldiers and sailors? Venezuela is separated from us by two thousand miles of water, and more than that of land. Half-a-dozen countries lie between us. The distance could not be traversed by an army in any event. On the other hand, if we cast our eyes in the opposite direction, we find exactly the conditions which excite Mr. Olney's fears; that is, we find Great Britain established on our northern border for a distance of thirty-five hundred miles. She has been there all the time that we have been a nation. She has been *there* longer than we have been *here*, and nobody ever dreamed that she was a menace to us for that reason. All our troubles with Great Britain in the past have grown out of other things than the nearness of Canada. Neither Mr. Olney nor any other human being ever imagined the need of our "arming to the teeth" on account of Canada unless we intended to do harm to her—and thank God we have never had such intention since the treaty of Ghent was made, eighty years ago.

Now consider the argument that we must arm in self-defence if Great Britain does not submit to arbitration the question whether 40,000 people, living quietly under her rule—who have so lived all their lives—shall be transferred to one of the most turbulent and unstable governments in the world, and without consulting them at all. If the case were reversed and put to us, in manner and form like President Cleveland's impudent and insulting demand, we should declare war on that issue alone, and without waiting for an overt act. Everybody knows that we should do so. But, returning to Mr. Olney's fears for our safety in the premises, it may be said that he did not fear the results in this immediate case, but in its possible extension. There are only three countries of Europe that have any South American holdings, and one of them (Holland) may be cast out of the reckoning. The idea that we have anything to fear from any possible extension of the French and English boundaries of the Guianas, so that we must "arm to the teeth" and make the flower of our youth soldiers and sailors for all future time, passes the bounds of absurdity and becomes downright dishonesty. We cannot express our contempt for it.

PATRIOTISM AND FINANCE.

THE celebrated remark of Col. Yell of Yellville that "though his accounts might not balance, his heart beat warmly for his native land," seems to have suggested the following observation in Mr. Cleveland's message on Friday:

> "If in this particular instance our predicament is at all influenced by a recent insistence

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upon the position we should occupy in our relation to certain questions concerning our foreign policy, this furnishes a signal and impressive warning that even the patriotic sentiment of our people is not an adequate substitute for a sound financial policy."

That any warning on such a point from such a man should be needed at this juncture, shows how far the Jingo madness has gone. Mr. Cleveland evidently needed it himself before he launched his war message. The effect of the message on the money market seems to have taken him by surprise. He was apparently of opinion that it made no difference whether people's accounts balanced or not, if their hearts beat warmly for their native land. Nothing has come from that quarter so likely to cause uneasiness among foreign investors as this admonition, because it reads as if we were a band of blind men led by another blind man, or rather a band of lunatics in charge of an unsound keeper. In their dealings with each other no people in the world show more sanity, not to say shrewdness, than Americans. Every financial transaction, from the sale of butter to the placing of railroad bonds, is based on a perfect knowledge of human nature. Every honest man in either selling or buying interrogates himself and concludes that others feel as he does, and makes his calculations accordingly. The total failure of this sense in international matters goes far to confirm the belief of a great many people that the "patriotism" which has been diffused among the masses during the past thirty years, and even taught to the children in the schools, is a species of madness. During the Chilian trouble, some one started the notion in Bridgeport, Conn., that it was an "insult" for a foreign vessel to come into an American port flying any flag but the stars and stripes. Within a day or two in came a British ship flying the union jack. Instant preparations were made by the local patriots to board her and mob the captain. Before the eruption actually took place, however, some one suggested telegraphing to the State Department to find out whether it was an insult or not for a foreign vessel to fly her own flag in our ports. The answer was of course satisfactory, and the trouble blew over; but what a revelation as to the state of mind even of intelligent New Englanders touching the usages of international intercourse!

Take again to-day the theory propounded and firmly held by many Jingoes, that the fall of securities in the market is a cunning device of Englishmen to annoy us or insult us, a kind of bloodless war, which only aggravates the English wrongdoing in the Venezuelan matter; or that other theory that the fall in Wall Street only affects the brokers, a selfish class whom it serves right, and that it should only make us the sterner in the assertion of our rights. We do not believe there is any question as to the name Nordau would give these delusions, and there is equally little question that they have their origin in a morbid patriotism, which manifests itself only in a desire to fight some one. We do not believe we exaggerate when we say that a disposition to engage in an armed conflict with some foreign nation is to-day the only meaning which the mass of the people attach to the word "patriotism." This is what they understand whenever it is mentioned. For this is now the only thing which leads the bulk of us to sink party differences in support of the Executive in the prospect of a foreign war. No danger or distress from any other cause will bring about any such result. It has caused the present Congress to abdicate the extremely important function of "declaring war" imposed on it by the Constitution, and practically hand it over to the Executive, by "standing behind the President," and giving him all the power he asked for in an international dispute, without debate or deliberation. Commenting on the wisdom of confiding this power of declaring war to Congress alone, Story says:

"But certainly, in a republic the chief magistrate ought not to be clothed with a power so summary, and, at the same time, so full of dangers to the public interest and the public safety. It would be to commit the liberties, as well as the rights of the people, to the ambition, resentment, or caprice, or rashness of a single mind."—(*Story on the Constitution, p. 120.*)

As a matter of fact this power has been placed in President Cleveland's hands without a word of deliberation or remonstrance from Congress, and if he began hostilities to-morrow, a wild yell of patriotic fervor is all that he would hear from either branch of Congress.

Who is responsible for the diffusion of these alarming notions among the American people, now containing a dangerously large body of persons who know nothing at all about finance or foreign exchange, as the history of the last twenty years abundantly shows, and nothing about foreign nations except that they are possible antagonists in war, and have heard of no international law except the Monroe doctrine? Well, we are afraid we must lay the blame largely on the business men and the more intelligent classes generally. The poison from which we are suffering to-day has been filtering into the public mind through the newspaper press, the magazines, and into the minds of the children through the school-books, for thirty years, so that instead of growing more humane and civilized in our relations with the rest of mankind as we have grown more powerful, we have become distinctly more unreasoning and barbarous. Our descent as a member of the family of nations since Webster and Marcy sat in the State Department, has been very marked, in spite of greatly increased intercourse with the Old World and of complete deliverance from the sensitiveness of youth and weakness which beset us in the beginning of the century. The half-savage attitude towards foreign nations has, as we have often remarked, been greatly stimulated by the arguments and appeals necessary to support a high tariff, but is also due, in a far larger degree, to the apparent acquiescence of the instructed class in any definition of "patriotism" which the demagogues and ignoramuses and sensational newspapers chose to propound. The fear of differing with any blatherskite who chose to mount the stump or make "copy" in a newspaper office, in order to tell us how to show love of country, has been one of the great shames and scandals of our recent history. It is to-day bearing its proper fruit in financial disorder, and we may thank God that it has not landed us in a war of which the opening years would be a chronicle of frightful loss and disaster. Opinion on any particular public question forms very slowly in America, but it takes nearly as much time to change it as to make it; and if the intelligent classes wish to save popular government on this continent for humanity and civilization, they must speak out more boldly when they see perverting processes at work on the popular mind.

JAY'S TREATY.

It happened, by an odd coincidence, that dinners were given on Thursday evening by commercial bodies in New York and Boston, to celebrate the one hundredth anniversary of the ratification of the treaty negotiated by John Jay with Great Britain. These celebrations were arranged several weeks before, and therefore had no reference to, the late explosion at Washington city, in which President Cleveland presented himself in such marked contrast to President Washington. Jay's treaty, although it had other interesting features, was a commercial treaty in the main. Hence it was properly celebrated at its hundredth anniversary by commercial interests. Peculiar interest attaches to it at this time from the fact that the treaty was welcomed by the statesmen of the country with favor, but was received by the populace with an outburst of wrath which took on the most disgraceful and outrageous forms. Indeed, if any hand less firm than that of Washington had been at the helm, the treaty would have been rejected and war with Great Britain would have ensued. The contrast with the present situation is found in the fact that the so-called statesmen are now eager for war, or pretend to be, while the people are for the most part stupefied to know what has caused the excitement.

When the war of the Revolution was ended, the United States did not spring into existence as a nation. They continued to be separate States held together by the loose tie called the Articles of Confederation. These gave the general Government no power to regulate commerce with foreign countries. It could only recommend the States to do this or

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that, and the States could follow the recommendations, or not. The doctrines of the Mercantile Theory were then in vogue, the central idea of which was that what one nation gains by foreign trade some other nation loses. The consequence was that foreign trade had to be conducted under commercial treaties in which the contracting parties received and granted concessions. But the Government of the United States could not grant any concessions, because it could not bind the States. New York might agree to the terms of a commercial treaty and Pennsylvania might refuse. New York might agree to-day and withdraw her agreement to-morrow.

Therefore England refused to grant any trade concessions to this country. Our trade was mostly with her colonies and herself, and the want of trade privileges was a great affliction. There were other sources of irritation. Great Britain had agreed at the end of the war to vacate certain frontier posts in the West, but had not done so. She had agreed not to carry away any slaves when her fleet evacuated our ports, yet a great many negroes had escaped, either with or without the connivance of her officers. The number was estimated at 3,000, and pay was demanded for them. When she was pressed on these two subjects, she replied that we had agreed to restore the confiscated estates of the loyalists and to cease confiscation of the rest, and that both agreements had been violated. The fact was that the treaty provided that Congress should do all that it could, which was to "recommend" these things to the States, which the States refused to do in the same way that they refused to pay taxes when they did not choose to pay.

These causes of irritation were rife before the Constitution was adopted, and had brought the country to such a pitch of exasperation that any slight cause might start a blaze, and so things stood when the French Revolution broke out. England and France soon became involved in war, and both sought to gain an advantage by putting restraints on the commerce of neutrals. Great Britain also held to the "right of search" for British seamen, whom she impressed wherever they were found. This was, perhaps, the greatest grievance of all, since it was contended that many American sailors were forcibly dragged into the service of the English navy in this way. Things went on from bad to worse till 1794, when President Washington clearly perceived that these differences must be composed, or war would be the inevitable result. In order to avert this calamity, he decided to send an envoy extraordinary to London for this purpose. He first intended to send Hamilton, but, since the latter had become embroiled in the partisan politics of the day, he changed his mind and selected John Jay, the Chief Justice of the Supreme Court, "the only man," said Hamilton, "in whose qualifications for success there would be thorough confidence."

Mr. Jay accepted the mission. The treaty was negotiated and sent to the President, who called a special session of the Senate, by which it was ratified by 20 yeas to 10 nays. It only remained for the President to sign and promulgate it. Before it reached this country at all, rumors came that Mr. Jay was in a fair way of reaching a conclusion. Very few had expected this. Consequently, before the terms were known to all, the mutterings of a tempest were heard, and Jay was denounced in public meetings as an unpatriotic citizen and tool of our enemies. It was reported among other things that he had kissed the hand of the Queen. This served as the text for fierce denunciations, to which charges of bribery were soon added.

When the terms of the treaty became known, there was an explosion of rage, the recital of which in the histories of Hildreth, McMaster, and Schouler makes us wonder what manner of people our ancestors of the year 1795 were. Riots broke out in Boston, New York, Philadelphia, Charleston, and Savannah. British merchant ships were seized and burned. John Jay was burned in effigy, hanged in effigy, and drawn and quartered in effigy. Washington was denounced as a betrayer of his country's dearest rights; and one blackguard who had access to the newspapers of the day, went so far as to call him a thief. Hamilton was stoned in the streets of New York for making a speech counselling moderation, and went home with blood streaming from his face. It was said that the stones were thrown by some sailors from a French ship lying in the harbor, but it was evident that the natives did not object to this treatment of their greatest citizen.

These brutal demonstrations were intended to have an influence on Washington to prevent him from signing the treaty. He said nothing, but bided his time. After a little the sober sense of the community began to assert itself. The Chambers of Commerce of Boston and New York, as soon as they could meet without danger of being mobbed, assembled and passed resolutions in favor of ratification and sent them to the President. The soberer portion of Philadelphia did the same. Then Washington signed the treaty and proclaimed it as a part of the supreme law of the land, and now, one hundred years later, public meetings of business men are held to celebrate the ratification of Jay's treaty. Its opponents either are buried in oblivion, or are recognized only by the traces of folly and mobocracy which they left behind them.

THE FRENCH ACADEMY.—I.

PARIS, December 3, 1895.

THE French Academy has lost in a short time three of its most illustrious members—Renan, Taine, and Alexandre Dumas. Little is known out of France of the history and traditions of this Academy, and its relation to what is called the Institute. The recent visit of the Institute, with all its foreign correspondents, to the Duke d'Aumale, who made to the Institute the magnificent donation of Chantilly, with all its treasures, has drawn the attention of many persons to this same question of the constitution of the Institute and to the French Academy. The history of the French Academy is, to a certain extent, the history of French literature for two centuries. Its origin was very humble. Cardinal Richelieu, having learned that a certain number of literary men had regular meetings at the house of Conrart—the same Conrart of whom Boileau said sarcastically,

"Imitez de Conrart le silence prudent,"

asked, according to Pellisson, "if these persons would not like to form a body, and to meet regularly and under public authority." Here we have, in a word, the origin of the institution: it was not to be a mere coterie, a club, it was to have the patronage of the state. You will at once recognize the spirit which animates all the social life of France. The Academy is the creation of Richelieu, and till lately it was necessary for all the new members in their reception speech to allude to the famous Cardinal. The letters-patent of the foundation were issued on the 29th of January, 1635; they were confirmed by the Parlement only two years afterwards, in 1637.

Richelieu's despotic character had to make allowance for the principles of liberty which are essential to literary life. He admitted the principle of the election of the members of what was called the French Academy by the company itself; he allowed it to draw its own statutes, and the statutes guaranteed a complete equality among the members. He respected the liberty of the members in all the elections in this new self-elected body, and did not attempt to weigh in any manner in the choices which were to be made. The Academy itself chose its Perpetual Secretary (this name and this function have been continued to our day); the Director and the Chancellor were drawn by lot from the beginning as they are now. The independence of the Academy was severely tried when Richelieu asked its opinion of the "Cid" of Corneille. The Academy published only after five months of negotiation its 'Sentimens sur le Cid.' Richelieu was only half satisfied with the criticisms of the new Academicians; the public took the side of Corneille, and Boileau could write afterwards:

"L'Académie en corps a beau le condamner,
Tout Paris pour le Cid a les yeux de Chimène."

In 1642 the Hôtel Séguier became the centre of the meetings of the Academy; by degrees noblemen were introduced among the littérateurs, and the indirect protectorate of the King made itself more and more felt. Bussy was condescending enough to write: "It will always be necessary to leave in the Academy a certain number of men of letters, if only to finish the Dictionary, and for the assiduity which men like ourselves (*des gens comme nous*) could not have in such a place." After the death of Séguier, in 1672, the King became the protector of the Academy, and Colbert established it in the Louvre. He instituted the *jetons de présence* (each member receives, at the sitting he attends, a small sum, which is the same now as in the time of Colbert); he never interfered with the freedom of the elections. The prestige of Louis XIV., however,

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was so great, and the number of *grands seigneurs* elected without any literary title was such, that the Academy seemed at one time to have for its only object the eulogy of the "Grand Roi." Louis XIV. rewarded it by treating it with much favor. He presented the Academy with the forty *fauteuils*. He never imposed any choice on the Academy, but he sometimes opposed an election; thus, he objected to the Duke du Maine, notwithstanding the great affection he had for him, and, by his influence, the election of La Fontaine was deferred for some time. When Louis XIV. expressed a desire that Boileau should be elected to the Academy, it was a mere act of justice on his part. One day, at supper, he asked Boileau, "Do you belong to the Academy?" Boileau answered that he was not worthy of such an honor. "Je veux que vous en soyez," said the King. Boileau might well write:

"Grand Roi, cesse de vaincre ou je cesse d'écrire,"

but he would not be elected by the King's order. A seat became vacant by the death of Colbert; Boileau made no visits, and La Fontaine presented himself. La Fontaine had sixteen votes, Boileau seven. The nomination was submitted to the King, who waited till a second seat was vacant. This time Boileau was elected by a unanimous vote. Louis XIV., who did not approve of the famous 'Contes' of La Fontaine, said to the members of the Academy who announced to him the election of Boileau: "Your choice is very agreeable to me and will be generally approved. You can now receive La Fontaine; he has promised to be good" (*d'être sage*).

It was under Louis XIV. that was founded a yearly prize for poetry; this foundation still subsists. A gift of 3,000 francs is awarded for the best poem written on a subject chosen every year by the Academy. Racine, who, besides immortal tragedies, wrote some very clever epigrams, said, on the subject of this prize, speaking of Louis XIV., after an illness of the King:

"Grand Dieu, conserve nous ce roi victorieux
Que tu viens de rendre à nos larmes,
Fais durer à jamais des jours si précieux;
Que ce soient là nos dernières alarmes;
Empêche d'aller jusqu'à lui
Le noir chagrin, le dangereux ennui,
Toute langueur, toute fièvre ennemie,
Et les vers de l'Académie."

The Academy of the seventeenth century can boast of such members as La Bruyère, Boileau, Fénelon, Racine, La Fontaine. It may be said to have given to the French men of letters a certain sort of solidarity. The bond of union (we will not call it fraternity) was perhaps less marked in the eighteenth century, because the men of letters became, so to speak, the satellites of one man—of Voltaire. The Academy was less the centre of the intellectual world than the group of the philosophers and the encyclopædists who recognized Voltaire as their leader and protector. Nevertheless, the history of the Academy in the eighteenth century shows that it became more and more a public institution, and in that respect it helped to prepare the great primacy and the intellectual empire which were seized in the latter part of the century by the men of letters—an empire which may be considered as having prepared the great French Revolution and substituted new principles and new ideas for the ideas and principles of the old régime.

Voltaire himself entered the Academy in 1746, not without great difficulty. The first representative of the philosophical school in the Academy was Montesquieu, who had been obliged to show Cardinal Fleury an edition of his 'Lettres Persanes' from which all the dangerous passages had been omitted. Voltaire tells the story in his 'Siècle de Louis XIV.' He was himself anxious to enter the Academy. "I thought," he wrote to the Duke de Richelieu, "of making myself a sort of rampart, with the Academy, against the persecutions which a man who writes freely must always fear in France." He had already written "Oedipe," the "Henriade," "Zaïre," "Mérope"; but his 'Philosophical Letters' had been condemned and burned. As usual, he did not hesitate to lie; he cleared himself by indirect means of the accusations brought against him. "My true sentiments with regard to the state and religion are well known to Cardinal Fleury," he wrote to the Bishop of Mirepoix, who was preceptor to the Dauphin. "I can say, before God, that I am a good citizen and a good Catholic." He wrote, in the same style, to the Archbishop of Sens, whose influence he feared. Frederick of Prussia sent him these verses on the occasion:

"Quoi! la grâce efficace opère:
Par Mirepoix endoctriné,
Et tout aspergé d'eau benite,
Abattu d'un j-une obstiné,
Allez-vous devenir hermite?"

Notwithstanding all these efforts, Voltaire was not elected; but he was tenacious; he wrote his poem on Fontenoy; he made an alliance with Madame de Pompadour; he was elected without any resistance on the death of President Bouhier.

Duclos, D'Alembert, President Hénault, Marmontel, are to be found among the members of the society in the reign of Louis XV., together with some princes of the blood; Duclos was elected Perpetual Secretary, a high academical office which is held for life, and which since 1742 has had for its remuneration a pension and an apartment first at the Louvre and now in the palace of the Institute. D'Alembert was chosen Perpetual Secretary after Duclos. When the Count de Clermont was elected academician, somebody said: "Since they make the Count de Clermont an academician, they ought to make D'Alembert a prince of the blood." This pleasantry shows in a pointed form the change which was taking place in public opinion; the Academy was becoming more and more a free centre of thought, an independent institution.

Since 1671 there has been every year a prize for eloquence given to the best essay on a religious question. Balzac, who was the initiator of this competition, desired that only religious subjects should be treated. Duclos substituted for these subjects the eulogy of the celebrated men of the nation. The Academy, though it remained faithful to its old tradition of having always some priests (generally bishops) among its members, showed its desire to have a lay rather than a theological character. Thomas, who is now well forgotten, made himself famous in his time by his "éloges."

The history of the French Academy under the reign of Louis XVI. is a continuation of the struggle between the philosophers and their adversaries. Voltaire made his famous last visit to Paris in 1778, and the Academy paid him extraordinary honors. The prizes instituted by means of the great donation of M. de Montyon, and destined (in the language of the donor) to recompense the "works most useful to the *temporal* good of humanity" and virtuous acts—these, together with other liberalities, gave to the Academy a large patronage, which manifested to all eyes the growing power of the philosophical school. All the choices made after 1774 were distinctly favorable to the alliance of political liberalism and of literature. The reception of Malesherbes, who was dear to the philosophers for having been a protector of the Encyclopedia, was almost a political event; he dared to put "patriotic sentiments among literary titles." Voltaire wrote from his retreat: "I should like the Academy to be always free, in order that there should be something free in France"; and six months before his death he still wrote: "The Academy is free. Cardinal Richelieu created it free, as God created man. . . . It is a body which makes itself more useful than people think, by doing nothing." Between the deaths of Voltaire and of D'Alembert, who did not long survive Voltaire, and 1789, there is a sort of interregnum in the history of the Academy. The great place which it had occupied during the philosophical period seems to have become more contracted. We shall next see what became of the institution during the Revolutionary period.

Correspondence.

"FORCE AS A MORAL INFLUENCE."

To the Editor of The Nation:

Sir: In an article in the *Nation* of December 19, under the above caption, after referring to the reformatory efforts of Chief-Justice Snodgress of Tennessee (who shot a lawyer), of a Massachusetts Supreme Court judge (who makes addresses to young men eulogizing war), and of a Louisiana judge (who advocates the carrying of concealed weapons), you point out the striking effects of war as a moral school by examples taken from the nations of the Old World. But why cross the ocean and tell us about the achievements of the French, the Swiss, or the British in killing men, when we have an ideal to emulate so much more complete and much nearer home? Does not the American Indian illustrate the beauties of force, and its logical results in the improvement of character and social conditions, far better than the half-hearted application of the doctrine in question by foreigners? The pages of Parkman and the records of missionaries, travellers, and colonial experiences give us vivid pictures of the moral influence of taking the law into one's own hands, as exemplified by the aborigines. No better illustrations could be desired by the learned judges of the superiority of individual physical prowess, stalking forth to look for insults to avenge in congenial wildernesses, over the toil of weaklings working for the common good and jealous of the peace of society.

Indeed, the evident restiveness of some judges off the bench at their perfunctory respect for law on the bench, of makers of law at the reign of law, of executive officers at the facts and hindrances of history and international codes when they are out on the war-path, and even of religious teachers at their official message of "Peace on earth, good will to men," is quite suggestive of the speedy realization of the Indian ideal. Perhaps the advantage of keeping this ideal "before the people" may be the more apparent if we remember that when we are all braves, and hunting and killing shall be the "proper *business* of youth and middle age" (to quote the admonition of Judge Holmes to the Harvard students), many perplexing questions and obnoxious institutions will have passed into oblivion or settled themselves. There will be no banks and hated bankers, no corporations, capitalists, and industrial managers, no foreign investors with American interests, no

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American attachment for historic, legal, or economic precedent, no awkward law or embarrassing Gospel; but then—to quote our President—we shall be "masters of the situation!" Happy Indian ideal! L. C. B.

BETHLEHEM, PA., December 21, 1895.

TOMAHAWK CIVILIZATION.

TO THE EDITOR OF THE NATION:

SIR: As one reads the multiplying testimonials to the value of killing people, making widows and orphans, destroying property, and increasing the burdens of taxation, all as a means of elevating the moral character of the people, he is disposed to wonder what such men as Judge Holmes, Senator Lodge, and their school teach to their own children as to their proper relations with their playmates.

The fundamental principles of morals do not change as one passes from boyhood to manhood, and, according to the doctrine of this new growth of moral philosophers, the child should begin to bite, scratch, and kick his way to moral perfection at an early date. To lose the impressionable period of childhood for such training is surely an unwarranted neglect of the little ones placed under our care. As a tentative model for the guidance of parents, or of any who may be called upon to address kindergartens or Sunday-school children, I offer the following:

"My dear little boys: Of course you all want to grow up to be great men, but you cannot do so unless you start right. Men must know how to fight in order to be great and good, and so you must begin now while you are young and can learn easily. You must be sure not to let other little boys pick on you. You must pull their hair, throw stones at them, tear up their books, bite them, and scratch them. Then when you get old enough, you can have a gun and shoot them. Learn to tear up their books, mash their hats, and burn their playthings now, and then when you get older you can burn their houses, and spoil their fields, so that they will freeze and starve to death. If you learn to do these things now, then you will be good and great men when you grow up, and if you do not want to kill people yourselves, perhaps you can be Judges and Senators, like Mr. Holmes and Mr. Lodge."

In all seriousness, such an address would be no greater an anomaly in its essential character than the recent speech of Judge Holmes. We should like to see some really scientific explanation of the fact that New England is just now putting forward so many men who belong essentially to the tomahawk stage of civilization. W. H. J.

"HIDEOUS LEVITY."

TO THE EDITOR OF THE NATION:

SIR: I have been a subscriber to the *Nation* for some years, and never in full sympathy with its political views, although recognizing its ability and sincerity. But I am in the fullest sympathy with the righteous stand taken by the *Nation* on the outburst of savage war-feeling which seems to be rampant now in both political parties. The reckless utterances of some of our public men, the brutal allusions to war as almost a national blessing by some men high in public life, who seem to think that national honor and national savageism are convertible terms, have led up to the present disgraceful condition of things. I rejoice that the *Nation* has never veered from plain speaking on the tendency to turn the sentiment of the American people from the righteousness that exalts a nation, to a coarse bullying and knavish insolence that can result in the end in nothing but humiliation and dishonor.

I know of no better time to illustrate the spirit which many of our leading papers and public men are now exhibiting in treating of the Venezuelan dispute and the awful possibilities of an Anglo-American war, than a phrase which I came across the other day in reading the Matthew Arnold letters—"*a hideous levity.*" No matter whose this levity may be, whether it trickles down from the White House or Tammany, it must be met by the strongest forces which can be summoned in our sober and peace-loving citizenship. Let those of us who have no sympathy with the President's message say so; let the *Nation* and those journals whose heads have not been dizzied by the blatant Jingoism of the day, rebuke the demagogue whoever he may be, and strive to awaken the normal moral sentiment of the American people, which, possibly dormant now, will sooner or later assert itself.

MILTON REED.

FALL RIVER, MASS., December 21, 1895.

THE CAUSE OF LYNCHING.

TO THE EDITOR OF THE NATION:

SIR: Your correspondents in recent issues of the *Nation*, in dealing with the question of lynching, seem to me to have failed properly to emphasize the fundamental cause of the evil. One ascribes this barbarous practice to the prevalence of false reasoning regarding the efficiency of our courts; the other, admitting the existence of inefficiency, thinks this would be removed by curtailing the right of appeal, and by letting execution follow swiftly upon conviction. Some reforms of this kind are no doubt desirable, but it is doubtful if they would tend very far to do away with this evil. It is not distrust in the present administration of justice that generally is at the bottom of the difficulty. To assure one's self of this, one need only call to mind the kind of criminals on whom this form of punishment is usually inflicted. Even in the most incompetent and dilatory courts such criminals would have but little chance of escape. It is the rich and the lately respectable offenders who secure new trials, acquittals, or pardons. These usually are in no danger of being lynched. On the contrary, they often receive floral tributes and expressions of sympathy.

What passes for lynch-law seems largely to be a result, among many, of the institution of slavery. Two factors enter into the problem—first, a certain criminal tendency in the negro; second, race prejudice on the part of the whites. Hence we find that this mode of punishment—or rather of outrage—is practised with most frequency and barbarity when a negro has committed a crime against a white person. For similarity of offence, or on the rough frontiers, it has occasionally come to be employed even against whites. That a feeling of impatience at the not infrequent slowness and uncertainty of justice may be vaguely present to the minds of would-be lynchers, is quite possible; but reason about it they cannot do, for reasoning would in most cases defeat their purpose. It seems to be chiefly a matter of momentary impulse, reinforced, in case the offender is a negro, by the half-conscious thought that he is but a very distant relative of theirs.

In so far as the negro figures in the problem, the motive for lynching will completely disappear only when the two races shall each have learned an additional moral lesson—the blacks a deeper regard for moral virtue, the whites a more abiding sense of human brotherhood. Meanwhile, much may no doubt be done to check this evil through the application of proper external means. E.

CLINTON, IOWA, December 16, 1895.

[We believe no white man has ever been burnt alive in this country, except by the Indians, no matter what his offence. Into the burning, with hideous mutilations, of the blacks, enter both the cruelty of revenge and a spirit of terrorism directed principally against the rape of white women. The implication is, as we have before pointed out, that the negro is less than a human being—or, as our correspondent phrases it, "a very distant relative." The laws forbidding honorable intermarriage between the two races are the guarantee of the perpetuation of this savage atrocity; their abolition, the first step on the part of the whites towards its disappearance.

Jefferson wrote, in 1789, to Dr. Edward Bancroft: "A man's moral sense must be unusually strong if slavery does not make him a thief. He who is permitted by law to have no property of his own can with difficulty conceive that property is founded on anything but force." And the argument is equally applicable to chastity, which slavery rendered simply impossible among the blacks.—ED. NATION.]

THE MONUMENT MANIA.

TO THE EDITOR OF THE NATION:

SIR: A distinguished art critic has told us that our country is disgraced by such worthless monuments, for this reason: "No sooner does a man of any sort of distinction die than subscriptions are begged to erect him a monument, the principal mover in the effort being usually *some sculptor unknown to fame.*" R. L. Stevenson has lately died, and now an appeal is issued begging subscriptions to a memorial to him in San Francisco, one of the two principal movers being a sculptor unknown to fame—at least in this part of the country. The other principal is a personal friend of Stevenson's, who wishes thus to pay a personal debt of gratitude for the dedication of the 'Silverado Squatters.'

Now, without one word as to Stevenson's claim, as "a little Romantic," "a minor classic," to a memorial, or to the sculptor's claim to distinction, I wish to protest with all my power against this careless habit of erecting monuments without any guarantee whatever that they are worthy of erection. A man's admirers may gush and grovel in print as much as they please before his talent, but they have no right to make the rest of us artistically ridiculous. This is *my* country as well as any other man's; its reputation in all things, art as well as character, is dear to me; must I, must we, be at the mercy of whoever schemes to design and job a monument? Is there no protection against making our American art the scoff of all foreigners? A Stevenson fountain or monument would be especially observed of foreigners; he was a foreigner to us himself, and always felt himself one.

M. W. U.

CLIFTON, MASS.

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PUBLIC INSTRUCTION IN ANTE-REVOLUTIONARY FRANCE.

To the Editor of The Nation:

Sir: In your review of Mr. Stanley Weyman's novel, 'The Red Cockade,' you state that the author is in error in showing us the French peasant of 1789 as absolutely without education. Your reviewer says that recent French writers tell us that he was better educated under the *ancien régime* than during the half-century which followed the Revolution. No authority is given for this assertion, which was a surprising one to me, as, I am sure, it must have been to many of your readers. I wish to quote in opposition to his view a most competent authority, Miss M. Betham Edwards, the author of a number of statistical books upon France and the editor of the last edition of Arthur Young's 'Travels.' In her introduction to the Travels she says (p. 13):

"One curious omission must have struck most readers of the French travels. This quick and accurate observer, who takes note of every object that meets his eye, who travels the three historic high-roads, diverging to the right and to the left in quest of information, never by any chance whatever mentions a village school. Had such schools existed, we may be sure that he would have visited them, bequeathing us in a few graphic sentences an outline of their plan and working. The education of the people was a dead letter in France at the time he wrote. Here and there the curé or *frères ignorantins* would get the children together and teach them to recite the catechism or spell a credo and pater noster. Writing, arithmetic, much less the teaching of French, were deemed unnecessary."

The Revolutionary and Napoleonic wars—during which the French peasant was to be found in arms all the way from Lisbon to Moscow—must have accomplished something in broadening the minds of even the most unlettered hinds. Veterans were constantly returning to the village and the plough, and others, recruited from the same class, were taking their places in the ranks. Can it be that, during all these years of upheaval and restlessness, the French peasant actually retrograded mentally? The wonderful advance of rural France in wealth and the comforts of living during the past century makes the broad statements of your reviewer seem reckless, especially in the absence of a specific reference to the authorities to which he vaguely alludes.

Yours truly, Thomas Robins.

Philadelphia, December 16, 1895.

[Arthur Young was mainly an observer of agricultural and economic conditions, and Miss Betham-Edwards was so singularly ignorant of modern works upon the French Revolution as to be quite unfit to supplement Arthur Young's deficiencies. A large number of writers have lately investigated the condition of primary education in France during the eighteenth century, and their conclusions fully justify the remarks of the reviewer. The first of these writers was the Abbé Allain, whose volume on 'L'Instruction Primaire en France avant la Révolution,' published in 1881, was followed by special studies on the same subject by Albert Duruy, Victor Pierre, Albert Babeau, the Abbé Maggiolo, and by many local historians, who entirely confirmed his conclusions on the universality and efficiency of village schools in France under the *ancien régime*. Some of these writers have gone further, and, not satisfied with demonstrating the excellence of primary education in France under the fostering care of the curés in the rural districts, have shown by statistics how the persecution of the clergy during the Revolution almost extinguished rural education, and left to the statesmen of the Convention and to Napoleon the task of building up a new system of national primary education.

Perhaps one citation of facts will be more effective than assertions or references to recognized authorities. In 1789 there were, in the districts which now form the department of the Meurthe-et-Moselle, 599 communes; in 566 of these there were one or more schools; in 1801, after the Consulate had been established and the Revolution was at an end, there were schools in only about 200. This statement is taken from an article by the Abbé Maggiolo in the *Revue de la Révolution*, vol. 4, p. 117, and similar figures can be quoted for other departments, such as those of the Lot, the Nord, the Haute-Garonne, and the Seine-Inférieure — departments sufficiently scattered to warrant the statement objected to in the review of Weyman's book. Upon the whole question of the overthrow of the former system of village education—owing to the persecution and emigration of the French priests—and the measures taken by the National Convention to meet the difficulty, our correspondent may consult an article by Prof. Morse Stephens of Cornell University upon "The Work of the Committees of Legislation and Public Instruction in the Convention," which appeared in the *Yale Review* for November, 1895.—Ed. Nation.]

ACETYLENE AND ALCOHOL.

To the Editor of The Nation:

Sir: The violent protest uttered by "Chemist" against certain statements about the possible commercial future of acetylene should not be allowed to pass without comment. The question of advantageous production of alcohol from acetylene is not to be settled in any such summary and off-hand fashion. The possibility or impossibility of making wood alcohol from marsh-gas at a fabulously cheap price has no bearing on the matter. It is a problem by itself, and chemistry does not indicate that the solution must be unfavorable. It is simply a question of the cost of production starting with calcium carbide, as against the cost when grain is used, and must be worked out empirically. If the chemical reactions which are involved can be effected on the large scale with something like theoretical results, carbide of calcium at $40 a ton may very well enter the lists against grain as a profitable source of alcohol.

As to the use of acetylene for illuminating purposes, "Chemist" says "that the original electricity directly converted into light must inevitably be far more economical than this very roundabout method, implying large losses in lime, coal, and in electrical energy." If electricity could be converted into light directly, and without loss, as this statement seems to imply, acetylene and indeed all other sources of artificial illumination would be out of all economical consideration. But electricity cannot be converted into light without loss. There is loss from the instant that the current leaves the dynamo—loss in the conducting wires, loss in the transformer; and when the electricity which finally reaches the lamp is transformed into radiant energy, only about five per cent. of this is light. The making of acetylene does not necessarily imply large losses in even such cheap materials as coal and lime, and it is by no means "inevitable" that the light given by acetylene gas must be far more costly than the electric light. The matter is not to be disposed of by dogmatic assertion; it will be determined by experience, and experience thus far indicates that "Chemist" is wrong.

It is to be expected that one who dismisses the commercial claims of acetylene so abruptly may have rather hazy ideas in regard to the character of chemical reactions and the transformations of energy. That this is the case is certainly suggested by the language which "Chemist" employs. According to him, acetylene is "decomposed" into benzole (benzine) or into alcohol; and marsh gas is "decomposed" by chlorine into methyl chloride. None of these reactions are decompositions; the first two are building-up reactions or syntheses, and the third a substitution. Energy in the form of water power may be transformed into electrical energy, and this in turn is transformed in the electrical furnace into the heat necessary to bring about the reaction between lime and carbon which results in the formation of calcium carbide; but "Chemist" has it that water power is "decomposed" into electricity, and electricity into "chemical energy" which "decomposes" the mixture of carbon and lime. S.

Notes.

Macmillan & Co. will be the American publishers of the 'London Garland,' extracts from Chaucer, Lydgate, Spenser, etc., edited by W. E. Henley, with 100 illustrations by the Society of Illustrators, of which we gave a preliminary account some weeks ago.

Ginn & Co. announce for February 1 'Inductive Logic,' by William G. Ballantine, President of Oberlin College.

William J. Bok of Flatbush, Brooklyn, expects to publish next June 'The Quiet City, or, The Mighty Tenants of World-Famed Greenwood,' containing a great number of views of the monuments and portraits of the distinguished dead of that cemetery.

The advance sheets of the introduction to the 'Selections from the Coroners' Rolls (Henry III. to Henry V.),' edited for the Selden Society by Dr. Charles Gross, assistant professor of history at Harvard, are now at hand, and it is hoped that the volume will be ready for distribution before the close of the year. It is noteworthy that Dr. Gross is the first American editor of the Society's publications, and his choice and the fact of his qualification for the task show pleasantly that the interest in the preparation of material for the treatment of Anglo-Saxon legal history is not confined to our English brothers in the law.

G. P. Putnam's Sons have in press 'Renaissance Fancies and Studies,' a sequel to 'Euphorion,' by Vernon Lee; and 'Joan of Arc,' by Mrs. Oliphant.

Simultaneously with the exhibition of Thomas Paine relics in London, Mr. M. D. Conway

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and his publishers, the Messrs. Putnam, have had the thought to issue 'The Rights of Man' by itself, from the plates of Mr. Conway's edition of Paine's writings. We need say no more except that the book is comely, and that a portrait of Paine after Jarvis serves as a frontispiece.

No one can object to the reprinting of 'The Marvellous Adventures of Sir John Maundevile, Kt.,' as a classic, and this has been done in a generous fashion by Archibald Constable & Co., London (New York: Macmillan). Mr. John Cameron Grant, in his preface, relates that he has followed the Cotton MS., "with only such alterations as to make it easily readable by an Englishman" of our day. He also takes credit, which must be allowed, for a proper paragraphing and for indexing. The illustrations, by Arthur Layard, we could easily have dispensed with. So mythical a personage as Sir John had better be left throughout to the imagination. A quaint adornment would have been proper enough, and something has been attempted in this vein by Mr. Layard.

Hans Christian Andersen's 'The Nightingale' has been made the object of a successful combination of the printer's and the designer's arts (Boston: Berkeley Updike). "The Merrymount Press" has called in the aid of Miss Mary J. Newill of Birmingham, whose pencil has wrought in sympathy with nature, the theme, and the conditions of print, and produced a graceful title-page and four attractive and restrained full-page illustrations. The abolition of the paragraph indention we can but regard as a freak in the otherwise clear, strong, and handsome letter-press. Nothing can prevent the feeling that the blank in the previous line concluding a paragraph was caused by the dropping out of a portion.

Mr. Saintsbury's wordy introduction to Bowyer Nichols's 'Words and Days: A Tale-book of Prose and Verse' (London: Rivington, Percival & Co.) was necessary in order to reveal the scheme of an exceptionally well-executed work. Any one might see the harmony of the selections under each day of the year (that is, on each page), or that Shakspere regularly leads the trio of authors borrowed from; but not all would feel the subtle harmony of the month's anthology, and fewer still would associate the day with a birth-date or death-date, as in the case of Gen. Charles Gordon. Such deliberate conjunctions might well have been pointed out in a little table at the end, preceding an author's index, which is a grave desideratum. For the rest we have only praise; the selections are of a high order, and the year-book is beautifully printed.

Prof. Norton's six "Heart of Oak Books" are now completed by the first three volumes, which begin with rhymes and jingles, pass to fables and nursery tales, to fairy stories and tales of adventure, and so connect with the rest of the "collection of traditional rhymes and stories for children, and of masterpieces of poetry and prose for use at home and at school, chosen with special reference to the cultivation of the imagination and the development of a taste for good reading." This little library cannot fail to fulfil its purpose. The notes are for the adult reader, and will not be thrown away in that quarter.

The two volumes of *St. Nicholas* for 1895 present a full and agreeably varied measure of entertainment and instruction. Three serials running throughout the year, with many short stories, should satisfy the most exorbitant in that direction; while more of Prof. Matthews's articles on American writers, Mr. Hornaday's on American quadrupeds, and Mr. Roosevelt's on early exploration and settlement in the West, cater to other tastes. Whimsicalities are not lacking for the youngest readers, and the æsthetic side of this justly popular magazine is as praiseworthy as ever.'

A friend writes to us, apropos of our recent notice of 'The Journal of Françoise Krasinska,' that "it would have been worth while to remark that a translation had previously been published in this country, viz.: in the *Continental Monthly* (N. Y.), from July, 1863, to February, 1864, inclusive. In this version she is sensibly called Frances."

The contents of the January issue of the *American Historical Review* will include an article by Henry C. Lea upon the massacre of the Spanish Jews in 1391; a paper on Radisson and Groseilliers, by Henry C. Campbell of Milwaukee; "The Whigs of Colonial New York," by C. H. Levermore; the conclusion of Prof. Turner's "Western State-Making during the Revolutionary Era"; and a paper by Mr. Gaillard Hunt on office-seeking during Washington's Administration. Perhaps the most interesting portion of the contents, however, may prove to be a diary of a member of the Continental Congress (Richard Smith), beginning on September 12, 1775, and ending on March 30, 1776. It is an interesting and on the whole an important document. Of the items of interest it contains, but a small portion is to be found in the printed journals of the Continental Congress or in the diaries of John Adams and Samuel Ward.

A *Journal of Experimental Medicine*, to be issued at least quarterly, is to appear next month with the Appletons' imprint. It will be edited in Baltimore by Dr. Wm. H. Welch, 935 St. Paul St., and will have the collaboration of a very distinguished staff, besides twelve associate editors.

We acknowledge receipt of the first number of the *Black Book* (New York, 111 Broadway), but we confess that we find difficulty in describing such a wayward compound of scrappy prose and eccentric illustrations. Some sketches by Charles Dickens may attract a moment's attention, but we find little to interest in the "order of contents."

The *Geographical Journal* for December opens with an entertaining, if not precisely encouraging, account of the Jackson-Harmsworth North Polar Expedition. The first winter in Franz Josef Land seems to have been passed very pleasantly, thanks to the admirable provision for the welfare of the explorers and the abundance of game—bears, of which about sixty were killed, walrus, and birds. The scientific results so far are apparently only the rectification of the coast line near the winter quarters. One or two short expeditions have also shown that horses are "*the* means of reaching a high latitude from this direction." There is a lively description, with illustrations, of a journey to the pearl fisheries, tin mines, and pepper plantations of the southwestern provinces of Siam by Mr. H. W. Smyth, and a brief account of a visit last summer of the training squadron to Spitzbergen. This too is illustrated.

The December number of *Popular Astronomy* is as usual timely and readable. An article having a practical bearing, by Prof. E. Miller of the University of Kansas, deplores the fact that while other sciences are amply taught in high schools, astronomy is so frequently neglected, or at best given but desultory attention. Considering the relation of other sciences to this most practical one—not only photography and physics, but chemistry, geology, chronology, geography, and ocean commerce—it must be admitted that its importance is second to no other. Prof. Miller gives suggestions which are sensible and valuable for equipping high schools with apparatus. Prof. Payne continues his series of articles on the moon, and Dr. See writes of the stability of the equilibrium of the oceans. Father Rigge treats of the graphic construction of eclipses and occultations; and Prof. Pickering gives a short account of the remarkable variables in star-clusters found by Prof. Bailey in Peru, of which note has already been made.

The *Revue Encyclopédique* of December 1 announces that at New Year's, 1896, it will begin to appear as a weekly. No change will be made in its method or plan; it will remain as before essentially documentary, although there is a hint that it may become somewhat more *vivante*. The price of the yearly subscription will be slightly raised. The *Revue* will appear every Saturday in *livraisons* of twenty pages.

The most important contribution to the fourth number of the *Archivio Storico dell' Arte Italiana* for 1895 is the reproduction of a portrait of Petrarch, found in a Vatican manuscript of the *Canzioniere*. Although dating from the fifteenth century, the miniature appears to be a faithful copy of a fine original executed in Petrarch's life-time, and possibly, we venture to add, by his friend Simone Martini. There are many portrait-like traits of the face, among them something so convincing and free from idealism as a wart. Another portrait of Petrarch, found by M. Pierre de Nolhac in a manuscript of the Bibliothèque Nationale, is reproduced in this writer's 'Pétrarque et l'Humanisme.' The remaining articles are well calculated to surprise even those who have spent many years in art-exploration in Italy, showing, as they do, the inexhaustibility of that land where beautiful things sprang up almost as universally as there were inhabitants. Signor A. Rubbiani reveals unknown works by the Bolognese worker in terracotta, Vincenzo Onofri. In a long and copiously illustrated paper by Signor Alessandro Vesme, we are introduced to the interesting sculptor Matteo Sammicheli, and his monuments at Casale Monferrato, Saluzzo, and still less frequented towns, such as Chieri and Revello. Signor Supino continues his studies of early Tuscan sculptors with an article on Cellino di Nese, the author of the tomb of Cino in the Cathedral of Pistoia. An article on the Venetian exhibition held last winter in the New Gallery is valuable for its reproductions, the text being practically an adaptation of Mr. Berenson's pamphlet on the same subject.

A remarkable discovery of letters of the greatest rarity and interest has lately been made in an ancient castle in Caithness. They number several hundreds, and are of various dates of the earlier half of the present century. They were all addressed to Mr. George Thomson, the musician and projector of the well-known 'Miscellany of Scottish Song,' to which Burns was a contributor. None of these letters has ever seen the light. Among their writers are Jean Armour (Burns's wife), Gilbert Burns (the brother of the poet), and James Glencairn Burns (the poet's son). Besides these there are letters from Sir Walter Scott, Byron, Moore, Dickens, Boswell of Auchinleck, Hogg, Joanna Baillie, Haydn, Beethoven, Weber, and others of less note. The publication of these letters as a whole, or at all events such of them, and such extracts from others, as are considered of the greatest public interest, is to be made in the Glasgow *Evening News*,

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and the first instalment was announced to appear on Friday, November 22.

.—We have received the prospectus of the *Hungarian-American*, a monthly designed "to develop the American citizenship of the Hungarians here, both by promulgating the language of the country among them, and also by instructing them concerning their duties and privileges in the land of their adoption." The enterprise recalls Adolph Gyurman's unfortunate experience with the *Demokratischer Voelkerbund*, also in this city, in 1852. Gyurman was a fellow-refugee of Kossuth's and a journalist of experience, but, unlike his chief, he was not a trimmer. He did not propose to confine his gaze to Europe, but felt obliged, by "the unlimited critical nature of reason," to scrutinize the institutions of America, whether to commend them for European imitation, or to point a moral with them for avoidance. In his first issue, within a month of his landing with Kossuth, he dared to pronounce the Compromise of 1850 merely "provisional," especially in the matter of returning fugitive slaves. This at once brought a hornet's nest about Kossuth's ears, and led him very promptly to disown Gyurman and his conception of his "duties and privileges in the land of his adoption." We warn the *Hungarian-American*, in its "patriotic enterprise," not to ventilate any heresies against the Monroe Doctrine, or to regard it as a temporary manifesto, a purely historical document, and not an elastic Jingo web, capable of any amount of stretching, and worth spending $100,000 on, any day, to establish what it covers.

—More than a dozen years ago Mr. W. F. Boogher of Washington projected an historical magazine, and, after printing (but not issuing) a few numbers, abandoned the attempt. The pages which were printed are now collected into a handsome volume of 'Miscellaneous Americana,' and they contain so much good matter that it is to be regretted the "miscellany" was not continued. The six letters from Mrs. John Jay to Mrs. Robert Morris, describing her experiences in Madrid and Paris, are more interesting than her husband's catalogue of mortifications endured in his futile mission. The will of the father of Robert Morris, and the warrant under which the financier was arrested and thrown into the debtor's jail, are of high historical value. Papers relating to the prisoners-of-war in the Revolution, to Clement Biddle's service as a quartermaster, to the Shippens, Vinings, and Penns, are all new and have well deserved to be preserved. Stephen Allinson's "testimony of Quakers against slavery" shows that as early as 1688 the lawfulness of buying and keeping of negroes was questioned in that sect, and a long list of subsequent acts and monitions on the subject prove how strong was the feeling against slavery. In Pennsylvania some suspected witches were weighed against a large Bible. "All of them vastly outweighing it, the accused were then to be tied head and foot together and put into a river, on supposition that if they swam they must be guilty." This was in 1730. Eight portraits and a few other illustrations add to the value of the collection. Only three hundred copies are offered for sale by the compiler.

—Should we write and print "judgment" or "judgement"? The Clarendon Press has adopted the latter in consequence of receiving the following expression of opinion from Dr. Murray:

"I protest strongly against the vulgar and unscholarly habit of omitting it [*e*] from 'abridgement,' 'acknowledgement,' 'judgement,' 'lodgement,' which is against all analogy, etymology, and orthoepy, since elsewhere *g* is hard in English when not followed by *e* or *i*. I think the University Press ought to set a scholarly example instead of following the ignorant to do ill for the sake of saving four *e*'s."

In reply to a letter from a member of the London Association of Correctors of the Press, Dr. Murray also condemns the spelling "despatch" as erroneous usage for "dispatch." It appears that in some printing-offices both of these forms are used, one for the verb, the other for the noun; but there is no uniformity in the usage, one house adopting for the verb the spelling that the other used for the noun. Another moot point is whether to write "combatting" or "combating"; the Clarendon Press acts on the principle that the consonant should be doubled in the accented syllable, and not doubled in other cases. This rule would give us "bimetallic" and "bimetalism." The "New English Dictionary," however, spells both words with the double l. In France the Academy settles such things.

—It is hardly probable that the question of the unity of Rousseau's work would have received as much attention as it has on the part of his biographers and critics, were it not for the fact that he himself repeatedly insisted upon it in his writings, notably in his 'Émile,' in the 'Dialogues,' and in some of his Letters. Flagrant contradictions, not only between ideas advanced in the different treatises of Rousseau, but also between passages in one and the same work, cannot have escaped the notice of his readers. But the main question is, Can the principles expounded in his 'Social Contract' be reconciled with those of his two 'Discourses,' especially that on 'Inequality'? The latest contributor to the discussion, M. A. Espinas ("Le 'Système' de J. J. Rousseau," in recent issues of the *Revue Internationale de l'Enseignement*), vigorously maintains the negative, and shows that a transformation in the fundamental ideas of Rousseau took place after the publication of his second 'Discourse.' This writer's argumentation is far more exhaustive than Chuquet's, who also conceives the 'Social Contract' to be at variance with the entire work of Rousseau ('J. J. Rousseau,' in "Les Grands Écrivains"), and than Faguet's equally strong reasoning to the same end ('Études Littéraires, XVIIIe siècle'). John Morley's view of the subject, as briefly stated in the chapter on the 'Discourses,' is not consistent with the statements made farther on when discussing the 'Social Contract.' Lanson, in his excellent 'History of French Literature,' considers all difficulties removed by a page quoted from the 'Dialogues,' from which, we confess, we cannot derive as much light as he does. M. Espinas's arguments are so weighty that a reply is promised by M. Dreyfus-Brisac, editor-in-chief of the *Revue*, and will, we anticipate, prove to be one of the strongest documents on the opposite side, along with M. E. Lintilhac's defence of the unity of Rousseau's system (in 'Études Littéraires sur les Classiques Français'). Meanwhile, what must be admitted, it would seem, is that the 'Social Contract,' if not an apostasy of Jean Jacques from his earlier professions, is at least, to use the words of Fabre des Essarts (in Grand-Carteret's 'Rousseau, jugé par les Français d'aujourd'hui'), "une sorte de concordat entre le radieux passé et le triste présent"—a capitulation of his reason.

MATTHEW ARNOLD'S LETTERS.—II.

Letters of Matthew Arnold. Collected and arranged by George W. E. Russell. Macmillan & Co. 1895. 2 vols.

THERE are naturally many frank opinions and piquant sayings scattered through these volumes, though they are perfectly spontaneous and are never said for the sake of smartness and piquancy. Mr. Arnold knew Thackeray and was on friendly terms with him, but he "did not thoroughly like him"; and, oddly enough, "he is not, to my thinking, a great writer." He cannot face a new poem of Swinburne's "because his fatal habit of using one hundred words where one would suffice always offends me." After Carlyle's death, he writes to a French pastor, M. Fontanès: "I never much liked him. He seemed to me to be carrying coals to Newcastle—preaching earnestness to a nation which had plenty of it by nature, and less abundantly supplied with several other useful things." Apropos of his own degree at Oxford (1870), he remarks: "I have no doubt it is owing to the accident of a young and original sort of a man, Lord Salisbury, having the making of the list. . . . He is a dangerous man, though; religion he knows and science he knows—but the immense work between the two, which is for literature to accomplish, he knows nothing of." He speaks of Gladstone's "emotional verbiage" in the House of Commons, and gives a delightful account of a dinner in which he sat near Gladstone and Forbes, who had just returned from Bulgaria: "An evening of Bulgaria is too much; and of course Forbes knows nothing else, and Gladstone can go on for hours on that or any other subject. He was not animated, however, and even he must have been over-Bulgarized. Ruskin was there, looking very slight and spiritual. I am getting to like him. He gains much by evening dress, plain black and white, and by his fancy's being forbidden to range through the world of colored cravats." He writes to Morley, "Your Pericles [Gladstone] will never promote the author of 'Literature and Dogma,'" and is handsomely refuted a few days afterward by the offer from Pericles of a pension of £250 a year. Beaconsfield he meets at Lady Airlie's, and is conducted by him to what he calls "the poet's sofa." "He ended by declaring that I was the only living Englishman who had become a classic in his own life-time. The fact is, that what I have done in establishing a number of current phrases, such as 'Philistinism,' 'sweetness and light,' and so on, is just the sort of thing to strike him."

Arnold's visit to France in 1859, as commissioner of the British Government to report on secondary education in France, Germany, and Holland, was the means of introducing him to a number of eminent Frenchmen, among whom were Guizot, Villemain, Mérimée, and especially Sainte-Beuve. This was the beginning of a long acquaintance, accompanied by the interchange of many delicate flowers of compliment. "I would not have missed my evening with him," he writes to his wife, "for all the world. I believe he likes me, and likes my caring so much about his criticisms and appreciating his extraordinary delicacy of tact and judgment in literature." At this interview, Sainte-Beuve showed him a number of letters which he had had from George Sand and Alfred de Musset at the time of their love affair. He urged Arnold to visit George Sand, "but I am rather disinclined to take so long a journey to see such a fat old Muse," as M. de Circourt

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calls her. He did make the visit to Berri, however, which he describes in his eloquent notice, written many years after, and the "fat old Muse" remarked of him to Renan: "Il me faisait l'effet d'un Milton jeune et voyageant." When he repeats this compliment to his sister in 1876, he adds: "Her death has been very much in my mind; she was the greatest spirit in our European world from the time that Goethe departed."

The path to Parnassus was not made smooth to this youthful Milton. The itinerant life which he led as inspector of schools brought, indeed, its recompense, but it undoubtedly told against his poetry. It left him no leisure to work his vein; his nerves and his energies were frittered away. The dynamics of the mind forbid the glow of fruitful creation to the poet who has just rummaged a file of examination papers. He confesses as much to his sister: "To attain perfection in the region of thought and feeling as well as perfection of form, is impossible without knocking one's self to pieces. Shelley and Keats could give their whole life to poetry, and were driven to it besides by their demon. . . . Even Tennyson, a far inferior intellectual power, has gained enormously by the devotion of his life to one object; while Goethe himself lost in poetry by the distraction of his varied interests." We must remember this confession in judging Mr. Arnold's poetical achievement. There is no doubt that, with leisure and favoring circumstances, we should have had from him several additional volumes of poems; but there is little doubt, also, that their quality would not have changed, their pitch and power would not have changed. They would still have remained meditative, thoughtful, finished "criticisms of life," of modern life and thought in the main. A puissant or a passionate spirit he never was; he was not "driven by his demon" to create. His "Thyrsis," he tells his mother, was forming in his mind for two years; his "Sohrab and Rustum" he "took great pleasure in writing, though this is not the case generally when I am composing." He is unquestionably the special voice of some of the special mental struggles of this generation. This is at once his merit and the peril of his poetical fame. The special fashion of such struggles passes away. The malady of an Obermann and the malady of a Clough may come to have only an antiquarian interest, but the quest of Thyrsis and the sorrow for his loss, the epic story of Sohrab and Rustum, have a perennial human interest. Nay, even the lines that picture the wanderings of the Oxus to the Ural Sea, which are in no sense a "criticism of life," but a passage of perfectly felicitous and melodious imagination, may be read with pleasure for their beauty long after the stanzas on Obermann are out of date and forgotten. A single thin volume of these poems and their companions will go down to posterity commended by their Attic grace and finish, their Attic thoughtfulness and perfection of form.

In one of the letters, Mr. Arnold mentions the case of a gentleman who has just written to him putting the following question: "I have read your 'Literature and Dogma,' and enjoyed it. Do you think, after this, I can conscientiously hold the position of churchwarden?" The question is rather humorous, but is not altogether impertinent. Mr. Arnold's own practice is quite clear, from this correspondence. He attends the church services regularly; he reads the "lessons of the day" with his children. He does this in a spirit of devout satisfaction and emotion. He receives solace and inspiration from the services of the church. He writes to his mother: "Tommy's death in particular was associated with several awakening and epoch-marking things. The chapter for the day of his death was that great chapter, the first of Isaiah; the first Sunday after his death was Advent Sunday, with its glorious collect and, in the Epistle, the passage [Romans xiii, 13] which converted St. Augustine." He shows here the same genuine feeling for the Bible that he shows in 'Literature and Dogma' for the book "with which conduct is inseparably connected." It is his delight and his companion. He asks his mother for a polyglot copy in Hebrew, Greek, Latin, and Luther's German, as a present for his forty-ninth birthday. He recurs to this gift with delight again and again. He reads in it every day, he tells her, especially Isaiah and Ecclesiasticus. He prepared his little book, 'A Bible-Reading for Schools,' because "nothing *grand* comes into the education of the people, . . . and, after all, Isaiah is immensely superior to Milton's 'Comus,' even as literature." In short, he shows himself here enthusiastically practising all that he urges in his essays. At the same time he writes to his sister: "There is a levity which is altogether evil; but to treat miracles and the common anthropomorphic ideas of God as what one may lose and yet keep one's hope, courage, and joy—this is desirable and necessary, if one holds, as I do, that the common anthropomorphic ideas of God and the reliance on miracles must and will inevitably pass away."

We quote these passages because they show Mr. Arnold clinging with his whole soul to his Church and his Bible, and at the same time ready to throw overboard the doctrines and mysteries of theology, the mechanism of ritual, the miracles and thaumaturgy of Christianity—even ready to forego the positive belief in a personal immortality which is the aspiration of the poor and the anodyne of many bereaved and suffering souls. To follow after righteousness is sufficient in this life; the rest may be left to the "power that makes for righteousness." The Church remains to him an Ethical Society—a society for the propagation of virtue, the pursuit of righteousness—but a society rooted in immemorial associations, and drawing its nourishment largely from a single book and a single exemplar of perfect life. There is a large class of thoughtful and conscientious men to whom such a society affords no aid and makes no appeal. But Mr. Arnold, in his attitude, at once conservative and reformatory, is a type of that very large class—the other class—of thoughtful men who still cling to the churches, who see that, as a matter of fact, the churches are everywhere changing and being transformed, no matter how vehemently the transformation is denied from time to time by this or that group of theologians who insist on shutting their eyes. The transformation in the churches goes on irresistibly and quietly; within the past fifty years it has been enormous, incredible—in fifty years more it may be greater and swifter still. To retain all that is sound and vital in so vast an organization, to apply so great a force in the true direction, seems the part of a reasonable economy, even if it were not the dictate of imperative sentiments and associations. And this is the value of an attempt at positive reconstruction, such as is offered in 'Literature and Dogma,' whatever may be the forms and reforms which the future may bring forth. Tolstoi also proposed his own reconstruction, which Mr. Arnold alludes to in these letters. But it is interesting to observe that Tolstoi's method with the New Testament is exactly the method of the theologians. He takes the letter of a few texts, and, by straining and wresting them and applying a pressure greater than they will bear, he turns out a set of iron formulas, such as his doctrine of non-resistance. He does not, in fact, apply that culture and right reason in his interpretation which Mr. Arnold is so optimistic as to hope that all of us, Philistines as well as the Populace, may some day attain to.

In this connection we light upon one prophecy which we believe is not destined to be fulfilled. Speaking to his mother of his 'Culture and Anarchy,' soon after its appearance, he says: "The chapters on Hebraism and Hellenism are in the main, I am convinced, so true that they will form a kind of centre for English thought and speculation." On the contrary, we believe the distinction is only roughly and approximately true; without strict and positive limitations it is rather dangerous and likely to mislead. The ethics of Plato and Aristotle and the Stoics, the examples of Socrates and Epictetus and Marcus Aurelius, cannot be neglected in making out the varied streams of influence that have converged to shape the moral sense of Western civilization. The Christian Fathers were ready to admit Plato to a limbo in their Paradise: Mr. Arnold himself, in the death-chamber of his son, chooses Marcus Aurelius for his consolation and companionship. When we reflect that Plato holds it impious to ascribe falsehood or unrighteousness to the deity—when we remember how the Bible has been quoted in our own country to defend slavery and polygamy—we see how wavering is that line which Mr. Arnold would draw hard and fast for us; how far he is from having attained a sound and useful generalization.

A series of familiar letters like this, extending through a lifetime, is inevitably the frankest and completest form of confession. It is not often that a man steps out of such a confessional without shattering somewhat the ideals of his admirers. We all remember with what trepidation we used to await the latest indiscretions and revelations of Mr. Carlyle's friends. Like Mr. Carlyle, Mr. Arnold was a lay-preacher, the inheritor in this way of his father's vocation as well as of his moral earnestness. It is an awkward thing to discover that the preacher does not exactly practise; and that was the peculiar awkwardness of the revelation of Mr. Carlyle's many faults and foibles. It is a relief and a pleasure to discover that in Mr. Arnold's case there is not another idol to shatter; that, on the contrary, in the light of these intimate disclosures, the figure we used to admire at a distance grows into a charming personality that may be respected as well as loved.

RECENT LAW BOOKS.

Law books are of two kinds, those which are the fruit of a reasoned analysis of the subject, and those which are not. If we say that Mr. Charles Fisk Beach's 'Commentaries on the Law of Insurance' (Houghton, Mifflin & Co.) belongs to the latter class, we say nothing very much to its discredit, since books of the former are few and far between. As a collection of cases, and especially of recent cases, it will be found very useful by the practising lawyer; but for a comprehension of the principles which underlie the subject we must look elsewhere. To make clearer exactly what we mean we will mention one or two points, taken up quite at

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random. There is no thorough analysis of the various kinds of insurance. Marine and fire and life insurance are all discussed as if they were the same; in reality, unless they are carefully distinguished, the utmost confusion ensues. We have looked in vain for any proper discussion of valued marine policies, of the rule of "one-third new for old," and of particular average. In fact, so far as marine insurance goes, we do not risk much in saying that its principles are not explained, but rather confused. The cases, especially the important recent cases, are given at considerable length; but many of the notes consist of long lists of authorities, which the practitioner must reëxamine for himself. Recent cases are given very fully, but older ones are thrown in pell-mell, often in such a way as to obscure the principles which they illustrate.

The case of Strong vs. Manufacturers' Insurance Company (10 Pick. 40) decided substantially, among other things, that if one has an insurable interest in property at the time of effecting insurance, and an interest at the time of the loss, he is entitled to recover the whole amount of the loss—not exceeding, of course, the amount insured; the principle was applied to the case of a person who had mortgaged his house, whose interest had been seized on execution, but who still had a right to redeem. The case is one of importance and has always been followed in Massachusetts. In 'Phillips on Insurance' the principle is clearly stated in connection with the case (sec. 286). Now in Mr. Beach's book the case is several times cited, but we have not been able to find the principle clearly stated, and no one would imagine, from his way of dealing with the subject, that the case was a leading one. Again, King vs. State Mutual Fire Insurance Company (7 Cush. 1) is one of Chief-Justice Shaw's luminous judgments, with reference to the relative rights of mortgageor, mortgagee, and insurer. Though it states a rule which is not universally, nor perhaps generally, followed, it throws such a light upon the whole subject of fire insurance that to master it, after reading most other opinions, is like passing out of a bewildering maze into a broad highway. The case is referred to three times in Mr. Beach's volumes, but there is no evidence that he has any appreciation of its importance. These happen to be Massachusetts cases, but they are taken quite at random. The cases have not been studied so much as thrown together under headings, and the result of making law-books in this way is to impose upon the person who uses them a great deal of the work that might have been performed by the author.

Mr. John Brooks Leavitt's treatise on 'The Law of Negligence' (The Diossy Law-Book Co.) is an interesting experiment, inasmuch as the cases from which his law is drawn are of a single jurisdiction—the State of New York. Usually, in this country, cases are drawn from every quarter, with the natural result that there is often much confusion between rules of local and general application. Mr. Leavitt has also confined himself to the reported cases in the court of last resort. The result is, that in a volume of some 800 pages we have before us, first the cases themselves, condensed and chronologically arranged (a valuable collection); second, the law of negligence embodied in the form of rules—a sort of code—with the cases again given in the form of illustrations; third, an index of the cases, classified on the basis of resemblance in fact—*e. g.*, bringing together in one group all cases involving telegrams, in another all involving goods, etc. Although such a classification does not necessarily throw any light on the principles of law involved, it is often, in making a brief, of great convenience. The plan is original, and the execution no less so. So far as we have been able to test the book, the work is very well done. From the use of the word code, it might be supposed that Mr. Leavitt was a supporter of statutory codification; but such is not the case. He was a member of the anti-code committee of the New York Bar Association, and his codification of the law of negligence seems to be a *reductio ad absurdum* of the attempt to embody the common law of persons and contracts in the form of statutes.

The main point is this: At the time of the first draft of a civil code in this State, there were about a hundred different rulings on questions of negligence in the court of last resort. The codifiers undertook to state the law in half-a-dozen phrases, and, Mr. Leavitt says, these, "with one exception, were platitudes." Now, after the lapse of a generation, the cases number some 1,400, and it requires some two hundred and forty sections to state the law. Now very likely Mr. Leavitt's code might be still further condensed, and unquestionably the draft code was inadequate; but as to one thing there is no sort of question—that the enactment of the six propositions as to negligence in the form of a statute thirty or forty years ago would have had little more effect on the process of development that has taken place since, than would whispering "Abracadabra" in the ears of the judges. Further than this, the enactment of Mr. Leavitt's code, did he desire such a thing (which it is only fair to say he abhors), would not arrest the process, but would result in compelling an addition to the volume of the law of a whole host of new cases interpreting the various sections of the code. All this has been demonstrated *ad nauseam* by the history of the code of procedure; but the argument from experience is never replied to by the advocates of codification, who insist upon assuming that the moment a code is enacted the growth of law will stop.

To test Mr. Leavitt's code (or, as it might perhaps better be called, digest), we have examined with some care the sections 90–107 on common carriers. They seem to be in general accurately and well stated, and the only criticism which we shall venture to make is, that the author does not seem to grasp fully the distinction between the ruling of a court laid down for the guidance of a jury and a principle of law. A ruling in a given case may of course state a general principle, as that a contract must have a consideration, or that a deed is invalid without a seal; but generally it contains the application of some principle to some given state of facts. To get at the principle we must reduce the facts to what may be called their lowest terms. If this were not done; if the substance of the law consisted of the sum of the rulings laid down by judges and sustained as correct on appeal, the result would be a horrible hodge-podge. For example, section 102—"A common carrier may limit by contract, express or implied, but not by notice, his common-law liability as an insurer of goods carried by him"—states a principle of law. On the other hand, section 107—

"When the contract for the shipment of goods is upon a printed blank, prepared by the carrier, and which has been so arranged that exemption clauses, limiting his common-law liability, are wrapped in such involved phraseology, and printed in such fine type and broad columns, that the fact that they are there is not likely to be noticed by the shipper, or if noticed their meaning is not likely to be clearly understood by him, it is a question of fact whether, by the use of such a blank, the carrier intended to entrap the shipper into making a different contract from one intended; and if he did, such exemption clauses are wholly inoperative and void"

—does not state a principle of law. The principle of law must be either that a contract procured by fraud is void, or that the assent of both shipper and carrier is necessary to exempt the latter from his common-law liability. It is really an application of section 102 to a particular state of facts. The fine type, the broad columns, the involved phraseology are not essential to the rule. The phraseology might have been clear, and the columns of an ordinary width, and the type large; if so faintly printed as to be illegible, the rule would still have applied. All this seems to be clear from the case of Blossom v. Dodd, 43 N. Y., 264, cited by the author.

Mr. Charles Wesley Eldridge's 'United States Internal Revenue Tax System, embracing all Internal Revenue Laws now in force' (Houghton, Mifflin & Co.), is sufficiently described by its title. There is no table of cases, probably because so few cases are cited in the volume. The work is almost entirely a revision of the statutes and regulations, and it is evidently very much needed, owing to the great number of amendments passed by Congress since 1873. The author's familiarity with the subject may be inferred from the fact that by appointment of the Secretary of the Treasury, and in association with Hon. W. H. Armstrong, he made the revision on which the Internal Revenue Title of the Revision of 1873 was based. While the book was being prepared for the press, the income tax of 1894, which forms part of it, was swept out of existence.

Our libraries contain some dozen treatises on building associations and other kindred societies, and of these the most complete is that of Mr. G. A. Endlich, 'The Law of Building Associations,' now published in a second edition by Frederick D. Linn & Co., Jersey City. It is not too much to say that to any one who desires to understand the subject it is indispensable. Since the first edition appeared, thirteen years ago, there has been a considerable crop of new cases, which the author has added. A few tables, showing arithmetically the operation and results of the principles on which such corporations do business, would, we think, increase the value of the book.

It is a pleasure to take up a volume like that of Prof. John Chipman Gray's 'Restraints on the Alienation of Property' (Boston Book Co.), which has also reached a second edition. It treats a well-defined subject fully, accurately, and, last but not least, in good English. A very large portion of the present edition deals with what are called "spendthrift trusts," in the recognition of which by the courts of the United States the author sees an illustration of a national failing—a disinclination to observe "the duty of keeping one's promises and paying one's debts." But a more unquestionable illustration is observable in the statutes passed by several States exempting large portions of debtors' property from execution. A spendthrift trust is one by which the founder places property in trust, the income to be paid for life to the beneficiary; the beneficiary having no power to anticipate, nor creditors to attach the income. Such trusts in the case of married women are matters of every-day occurrence, but this is a recognized exception to the ordinary rules of law, which protect creditors in dealing with beneficiaries under a trust, as well as in every other case. Prof.

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Gray shows that the exception rests on common-law doctrines relating to married women, and that in legal theory there is no room for another exception as to spendthrifts. We must say, however, that whether it leads in practice to very grave abuse, seems to us a matter of doubt. The trust is usually a matter of record, and the creditor is not obliged to trust the spendthrift, any more than he is the married woman; and parents are under no great temptation to tie up large amounts of property in this way, because such trusts invariably cast a stigma upon the beneficiary, and indirectly upon themselves. Of course, if the power to create a spendthrift trust were used as a cover for fraud—if the beneficiary were no spendthrift at all, but a capable man of business, and the object of the trust merely to enable him to carry on business without paying his debts—it is to be hoped that the courts would find some means of ripping up such a transaction.

The recent case of Howell Osborne, however (4 N. Y., Supp. 496, referred to at p. 294), would seem to justify much of the suspicion and distrust of the doctrine expressed by Prof. Gray. There the testator's will gave trustees $500,000 in trust to apply the income to the use of his son for life. In such a case, a local statute provides that creditors may reach whatever portion of the income is not needed *for the education and support* of the son. A creditor of Osborne alleged that the income of the fund was about $25,000, and that the beneficiary needed only $2,500 a year. The court went out of its way (for the case was decided on another ground) to say that if a parent wishes to make provision "for the support of a profligate son," he has the right to afford him the means of living in the manner "to which he has been accustomed"—so that apparently all that the beneficiary would have to show, to keep his creditors at bay for ever, would be that he was accustomed to be profligate in his expenditure.

Mr. Lewis N. Dembitz's two-volume 'Treatise on Land Titles in the United States' (West Publishing Co., St. Paul), is likely to prove of considerable value to the profession. It cites some 6,000 cases, and, considering that the subject of eminent domain is barely alluded to, this fact of itself shows much research. The author excuses certain blemishes (which would, but for his admission, have hardly been detected) by saying that at the end of his three years' labors he was "worn out," and we can well believe it. There is a popular impression that, owing to the system of recording deeds, land titles in the United States are extremely simple, but, for a variety of reasons which we have no space to go into here, this country is really the paradise of land litigation. In the more unsettled parts of it, adverse possession alone produces every year a crop of lawsuits which, in a community where boundaries and titles have long been established and notorious, would be out of the question. The subjects examined by Mr. Dembitz are description and boundary, estates; title by descent, by grant, by devise, derived from the sovereign, by marriage, by judicial process, and by prescription; encumbrances, powers, the registry laws, estoppel and election, and judgments affecting land.

Till within comparatively recent times Comyn's Digest was still a cyclopædia of the common law. It is a striking illustration of the enormous progress that the analytical and systematic study of the law has since made that, while our shelves are now full of treatises on torts, in the Digest no such title is to be found. The work of bringing together and comparing the features common to actions *ex delicto* under one head, has fallen to the generation now on the stage. Yet this very fact, creditable as it is to those who have engaged in the task, should warn us of an ever-present danger — that of theorizing or generalizing out of the cases principles of decision which are mere gratuitous inferences, and which the courts have never recognized. To this danger Prof. Edwin A. Jaggard, in his 'Handbook of the Law of Torts' (St. Paul: West Publishing Co.), seems to us to be alive, and in general he has endeavored to follow and elucidate the principles of decision, rather than to overrule the courts. As a result, he has succeeded in stating the law of torts in some three hundred rules. So far as we have examined them, they seem generally to be well stated and copiously illustrated by cases, of which there are between 14,000 and 15,000. Considering that there are only 1,094 pages of text, this is a very great number, and of itself indicates how useful the book is likely to be. There are two parts, the first dealing with the general nature of torts, remedies, etc., the second with specific wrongs. Here and there we notice slips which ought in a future edition to be corrected. Rule 110, for instance, confounds the rule *actio personalis moritur cum personâ* with the rule that at common law no action lay for the death of a human being. The first rule applies to the death of either party to the action; in the second, neither party has died: A brings an action against B for causing the death of C (*e. g.*, C being the servant of the wife of A).

In the "Hornbook Series" of law-books issued by the West Publishing Co. of St. Paul, a recent volume is a 'Handbook of International Law,' by Capt. Edwin F. Glenn, U.S.A. We have tested this book on several points with unsatisfactory results. We opened it at the subject of right of asylum in legations, and found it laid down, in the heavy type employed in this series for the statement of principles, that this right "is expressly denied except in the case of political refugees in the Spanish-American States." Reading further, we find that in these countries "the custom of granting asylum to political refugees by foreign legations has become firmly established, and is recognized by the local governments to such an extent that the houses of consuls are respected." No authority whatever is cited for this proposition, and, immediately after it, comes the statement that the United States does not sanction this usage, and enjoins upon its representatives the avoidance of all pretexts for its exercise, assuring them that they will not be countenanced in any attempt knowingly to "harbor offenders against the laws from the pursuit of the legitimate agents of justice." We turned next to the massacre of the Italians at New Orleans in 1891, and found that it was impossible to learn from the text whether the United States paid an indemnity to the families of the Italians or not. Our next attempt was to ascertain the outcome of the controversy with Mexico in the Cutting case in 1886, and here too we were left in the dark. Somewhat discouraged, we undertook to learn the law of the *Itata* case, but, after patient search, were unable to discover any reference whatever to the episode. Neither Chili nor *Itata* appeared in the index, and the latter was not in the table of cases. At this point we suspended our examination, feeling satisfied that better manuals of International Law than this "Hornbook" were already available.

Another volume in this series is a 'Handbook of the Law of Sales,' by Francis B. Tiffany. The sales considered are of course those only of personal property, and, as the text is comprised within 250 pages, not all of the law that has grown up on this subject can be stated. The basis of the work is the English Sale of Goods Bill drafted by Judge Chalmers, a codification of the law which has just been enacted by Parliament; Benjamin on Sales is also frequently followed, and references made to Judge Chalmers's notes. The style is lucid and concise, and, so far as we have tested the work, we have found it accurate. It will not for the practising lawyer supersede the larger textbooks, but for the student it may be found a convenient presentation of the outlines of a vast subject within moderate compass.

Mr. Wm. L. Clark's 'Handbook of Criminal Procedure' is one of the best of the Hornbook series. Procedure must necessarily be prescribed in the form of rules, and Mr. Clark is able not only to give the rules, but also to explain them. The book is a small one, but cites between two and three thousand cases. Wherever we have examined it, we have found it clear and to the point. It ought to be useful for the purpose of instruction in law-schools.

Mr. W. H. Buckler is an American lawyer, who is also a bachelor of laws of Trinity College, Cambridge; his volume on 'The Origin and History of Contract in Roman Law down to the end of the Republican Period' (London: C. J. Clay & Sons; New York: Macmillan), was the Yorke prize essay of 1893. Whether his view of the subject is historically correct, we do not pretend to say; but that it shows great research, is very clearly written, possesses great interest, and is marked by decided originality, cannot be questioned. It is in reality a concise reëxamination—in the light of all the evidence—of the leading theories as to the development of contract in Rome. We have been particularly struck with the account given of *nexum*. Compare it with that given in Hunter's 'Roman Law' (second ed., p.459), and the reader will get at a glance a measure of the pains taken by the author to sound the depths of the subject. At the risk of seeming hypercritical, we must suggest a doubt as to the advisability of the unexplained use by writers on Roman Law of the term *unilateral* as applied to such a contract as *nexum*. What is meant is, that the *promise* was on one side; but if there was a transfer of property on the other, the transaction as a whole has obviously two sides. The promise made by the debtor is not the contract itself; if it were, the transaction *per æs et libram* would have been needless.

The American Digest for 1895 (West Publishing Co.) contains 5,447 double-column pages of fine type, and something like 100,000 citations; in all human probability it will be larger next year. Seven years ago the United States Digest (for 1888) contained 759 pages. No doubt the decisions of more courts are now included; but, at this rate of increase, the Digest for 1902 ought to contain some 38,000 pages and 700,000 citations. If the view taken were that this enormous increase in the volume of the law must be ascribed to the fact that "crescit in orbe dolus," the blackest pessimism as to the future would be justifiable. But it is not to *dolus* that the perennial increase is attributable, but to the multiplication of independent jurisdictions and the piling up of unnecessary legislation. Any one who doubts this need only compare this Digest with that which comes out every year in England. The population of the United States is say 70,

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000,000; that of the United Kingdom is perhaps 40,000,000. The general principles of the law of the two countries are the same. Yet the English Annual Digest (1894) is a volume of 370 pages, and some 1,300 citations. There are not, however, in England forty-four independent States, nor in addition a federal system of courts, nor forty-four ignorant legislatures pouring forth annually or biennially volumes of statutes on every conceivable subject.

The Speech of Cicero in Defence of Cluentius. Translated, with an introduction and notes, by W. A. Peterson. Macmillan & Co. 1895.

Dr. Peterson's translation of Cicero's speech for Cluentius furnishes an excellent account of one of the most famous of the *causes célèbres* of ancient Rome. How the modern reporter would have revelled in the particulars; for, as Mommsen remarks, "the criminal statistics of all times and countries will hardly furnish a parallel to the dreadful picture of crimes—so varied, so horrible, and so unnatural—which this trial unfolds before us." The historian here is referring to the final suit, in which Cicero (though he had previously been on the other side) appeared as the advocate of Cluentius. This was in 66 B.C., but the quarrel itself had dragged along for eight years through various courts. In the final issue, Cluentius was accused, at the instance of his own mother and by his stepbrother, on the charge of poisoning his stepfather Oppianicus. We are apt to think of the empire as the true time of decadence, but the facts in this case are a perfect revelation of the awful state of things that prevailed in the relations of private life, and the utter rottenness of private and public morals in the Ciceronian age. To be sure, in reading Cicero's speech we must remember that he afterwards boasted that in it he had "thrown dust in the eyes of the jury." We have, too, in the speech itself his ingenuous warning that, in his speeches, the hearer is not to think that he is listening to the advocate's own real convictions about the truth of the case before the court. But, when all is weighed, the undeniable facts are a terrible indictment against the society of the day.

What a woman was Cluentius's mother Sassia—*uxor generi, noverca filii, filiae pelex!* She had had three husbands. The first of these (the father of Cluentius) belonged to the *gens* whose mythical ancestor won the boat-race in the 'Aeneid'; the second was her own son-in-law; the third was Oppianicus. This last, the villain of the piece, had had five wives; one he poisoned, two he divorced, one died a natural death, and the fifth was Sassia. He had, according to Cicero, murdered or procured the murder of eleven souls—his first wife, his brother, a brother-in-law, a sister-in-law, two of his own sons, a cousin, his mother-in-law, two unborn children, and a political opponent. He had forged a will, bribed a jury, and attempted to poison Cluentius. The vilest of all motives, *auri sacra fames*, and not mere personal enmity, was at the bottom of all his crimes. Yet he was suffered to live, though banished from the city limits, and, when he died, many of his friends and guest-friends—*homines honesti atque omnibus rebus ornati*, as Cicero calls them, although only a few lines before he had branded Oppianicus as "an outlaw wandering from place to place and everywhere tabooed"—attended a meeting held at Sassia's instigation to inquire into the circumstances of his death. This was the man whom Cluentius was accused of having poisoned; and if only a moiety of the charges against Oppianicus were true, the world was well rid of the wretch, and society might have thanked the hand that had relieved it of his presence. But the gravest doubts attached to the character of Cicero's client himself, and the whole case is to this day *sub judice*.

Dr. Peterson has done his work well; his version is in real English, not "translation English," and the style and language resemble, to a remarkable degree, the pleas which are heard in modern court-rooms. The introduction is thoughtful enough to suit the learned, and not too professional for the general reader. On two points of interpretation we may venture to differ from the translator. In section 81, he renders *ut ne eripi quidem pecunia posset*, "so that not even bribery could have saved him," thus making *pecunia*, and not *eripi*, the emphatic word. Even accepting the view (set forth in a note) that the tendency to place but one word between *ne* and *quidem* was so strong that sometimes compound phrases are intersected by *quidem*, this is simply begging the question. For it cannot be said that *eripi pecunia* is any more of a compound phrase than *pecunia eripi* would be; so that we are still face to face with the problem why *eripi*, and not *pecunia*, stands first. The answer is that it stands in the emphatic place because it is the important word. The citation of section 107, *ne is quidem absolvit*, is not to the point. Nobody would favor the absurd "not even he acquitted." The words mean "*he* didn't acquit either," or "*he* didn't acquit, not *he!*" and *is* is the emphatic word here also.

But the fact is, that in section 81 Dr. Peterson has not remarked the real difficulty, nor has any other editor, so far as we know. What is the context? It is admitted that a jury has been bribed; the point at issue is, which side did the bribing? The prosecutor gives reasons intended to show that it was not he. In the first place, he says, the gravity of my charges was such that there was no need of my bribing the jury. Secondly, the man whom I accused had been condemned already, *ut ne eripi quidem pecunia posset*. Now, whether these words mean "so that not even bribery could have saved him" (as Dr. Peterson translates), or "so that bribery couldn't have *torn him* from us" (as the reader would naturally take it), it is perfectly clear, in either case, that the words are no argument that the *prosecutor* has not bribed the jury. They rather suggest that even the defendant had no rational grounds for bribing. And yet the sole object of the whole chapter is to prove that the defendant actually did bribe the jury, and the orator gives, just below our passage, the grounds which would have led him to offer the bribe. A learned friend has suggested to us that *pecunia* may be a nominative, and not an ablative, and that the clause means, "So that a bribe couldn't have been *wrung out* of me." In support of this view it might be urged that, in every other passage in Cicero's orations in which *pecunia* is used with *eripio*, the idea is of the forcible abstraction of money from somebody (see Merguet's Lexicon, and cf. *Cluent.* secs. 65, 78). But we are not ready to accept this interpretation unless it should be permitted us to emend the place by inserting *mihi* somewhere—say after *ut* or before *pecunia*. With this suggestion we leave the crux to sharper wits. Perhaps, after all, *eripi* is corrupt.

The other point is a simpler one. In section 32, *per alieni corporis mortem atque cruciatum*, Dr. Peterson is worried by *corporis mortem*, which seems to him "a curious phrase," and he cites in his note Dr. Reid's emendation of *corporis tormenta*. But his anxiety seems wholly unnecessary; *mortem atque cruciatum* is a not uncommon phrase for "a death of agony," and as for *alieni corporis*, what else could the orator have said? Not *alterius* surely. We must have *alieni corporis* here for the contrast with *suo corpori* which has just been used in the foregoing clause. As for Quintilian's *vim atque mortem* (in his quotation of this very place), his memory may have played him a trick due to the occurrence of *vim attulisset* just above.

We cannot account for the curious statement on p. 125 that young Aurius "is spoken of in disparaging terms in section 11." On the contrary, he is praised there, and, throughout, his part was that of the tempted, not the tempter. On p. 11, line 5 from the bottom, "Marcus" is a misprint or a slip for "Numerius." We regret to add that the lack of an index will detract much from the usefulness of the book.

In Unnamed Wisconsin: Studies in the History of the Region between Lake Michigan and the Mississippi. By J. N. Davidson, A.M. To which is appended a Memoir of Mrs. Harriet Wood Wheeler. Milwaukee: Silas Chapman. 1895. Pp. 306.

Wisconsin, by its census of 1895, shows a population of two millions, wanting a few thousands. Yet within three-score years and ten it was generally believed to be destined to become for ever an Indian reserve. In 1820 Morse, the best of American geographers, visited the country as a Government agent, and in his report said: "Let regulations be made to prohibit the introduction of white settlers within [Wisconsin] limits. Let this territory be reserved exclusively for Indians, for gathering into one body as many of the scattered and other Indians as may choose to settle there, in due time to be admitted to the Union," etc. Calhoun, then Secretary of War, recommended the project except, perhaps, the last clause, for he was as eager to subtract one from the roll of possible free States as he had been to add to the number of slave States by the acquisition of Florida. His views were seconded by all land speculators near Eastern Indians, notably by the Ogden Land Company, who looked upon the acres of the Six Nations as Ahab did on Naboth's vineyard. One friend of Eastern Indians told them "an act of Congress should be obtained to exclude whiskey and white heathen from their new home." Dr. Morse added: "You will never again be disturbed. The white man will never go there. He will never desire those lands. They are too far off." The steamer which brought Morse was the first save one that entered Lake Michigan. Neither of them would have come at all had they not been chartered to carry supplies to a military outpost. The region was declared too far north for successful farming by fur-traders, hundreds of whom infested the country, and their lies were believed till 1832. In 1830 lead mining had scarcely begun, and treaties before that date left the aborigines in possession of a larger area than the largest New England State. In 1836 the census was 11,687. Wisconsin, accordingly, was resorted to as a haven of hope by emigrants from New York tribes, and from others of which the original home had been Massachusetts, or which had been temporary colonists in Indiana.

Shepherds follow sheep, and so pastors who had ministered to these wanderers in their old homes came West with them. 'In Unnamed

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Wisconsin' is a work which aims to portray Indian missions in Wisconsin—largely before that region had a name to live as a State in 1848, or even as a Territory in 1836. The antecedents of the immigrants are traced back more than a century — their fates and fortunes in the new home, and those of the older Indian residents. The trials and triumphs of the missionaries are described as no one could describe them without acquaintance with rare books and manuscripts more rare, as well as patient gathering of oral traditions, and, above all, delight in paying honor where honor is due. A representative missionary, and the one of whom most is said, is the Vermonter Wheeler. This man, fifty years ago, put in practice that system of industrial training which has usually passed for a more modern idea. It is a fact, not mentioned in the book but known to the present writer, that Wheeler was a carpenter's apprentice before he went to college. When disabled, after a quarter of a century in harness, he perfected a windmill which he had before taught Indians to make. His patent for it gave him and his a competence in old age and education to his children. As Mr. Davidson sweeps along on his main theme it is wonderful how many lights he flashes on collateral matters. Whether our curiosity concerns topography, or Indian names, or miners, or explorers, or traders, or impostors like the Lost Prince, or dignitaries in embryo like Presidents Taylor, Lincoln, and Davis—we here find what we seek. While missions are the soul of the book, it abounds in limbs and outward flourishes.

Errors for which the proof-reader is to blame are vexatiously numerous. Had the author been aware what large vessels were early dragged round the Sault, he would not have said "those needed on Lake Superior had to be built or put together there" (p. 51). Nor if mindful that Le Caron was on Lake Huron, and Marquette down the Mississippi before any trader, would he have disputed Bancroft so positively (p. 13). Marquette is described as returning in 1674 from his voyage of 1673 (p. 211) as if he had wintered south of Lake Michigan. Sir William Johnson is styled *Governor* of New York, and that more than once (pp. 63, 94). Regarding the westward route of Nicolet, Mr. Davidson is divided against himself. He says (p. 52): "Nicolet came by the broad way of the Great Lakes"; and again, "Nicolet probably went up the Ottawa" (p. 1). The first assertion has no authority, and in the second "certainly" should take the place of "probably," for, says Winsor, "The route by the Ottawa was the only passage which Nicolet knew" ('Cartier to Frontenac,' p. 151). Trifles like these, though they were manifold, could not lessen our thanks to a writer whose work is so good that it runs no risk of being superseded.

Bahama Songs and Stories: A Contribution to Folk-Lore. By Charles L. Edwards, Ph.D., Professor of Biology in the University of Cincinnati. Boston: Houghton, Mifflin & Co. 1895.

THIS handsome and eminently satisfactory work is the third volume of the Memoirs of the American Folk-Lore Society, and it will be strange if the libraries of the country do not get the start of the public at large in absorbing the scanty 350 copies of the limited edition. So far as the songs go, this collection will vie with any that has appeared since the 'Slave Songs of the United States.' There are forty of them in all, words and music, and while the majority of the tunes are not as interesting or characteristic as those of this continent, not a few have a kindred value. We should instance "Beautiful Sta'h," "Go down, Moses," "Ev'rybody wants to know," "Death was a little t'ing," "My Jesus led me to the Rock," "Never a Man speak like this Man," and the chorus of "Don't you weep after me." The words are more uniformly equivalent to those of our negro "spirituals," but there are some curious divergences in the pronunciation, into which even a cockney element intrudes. We take an example from the animal stories: "Vw'en the man vwas goin' to dat tree de hashes did drop hout. 'E vwent to his sour-sop tree; 'e heat as much 's 'e vwan'."

There are thirty-eight of these stories, and they are a distinct addition to the store amassed by Harris and Jones and others, though the affiliations are numerous and striking and are duly noted by Prof. Edwards. He has, however, in the case of his amusing version of "B' Rabby an' B' Tar-Baby," overlooked the sliding off of the conclusion into Uncle Remus's "Brother Rabbit Secures a Mansion," which Mr. Harris discovered by means of a variant brought to this country from Demerara. It gives one a little shock to find one of our fairy tales masquerading in "Greo-Grass an' Hop-o'-my-Thumb," and "The Forty Thieves" in "B' Hellibaby an' B' Dawndejane." The narrators have a set formula for beginning, "Once it vwas a time," etc., and for ending,

> "E bo ban, my story 's en',
> If you doan' believe my story's true," etc.

Prof. Edwards was justified in thinking truly African the mysterious syllables "E bo ban"; but, while the book was passing through the press, he learned of an English country "nominie"—

> "Be bow bended, my story's ended,
> If you don't like it, you may mend it," etc.,

and is evidently shaken in his former opinion.

The book opens with a brief but very agreeable introduction on life in the Bahamas, the habits of the black race, particularly in their "settin' up," corresponding to our Sea Island nocturnal "shouts." Strange to say, the folk-tales are handed down principally by the children. "In each community," says our author, "one boy becomes much the best story-teller, and from such a source I took most of the following tales." Prof. Edwards's appendix treats of African music, and concludes with a noticeable bibliography of this subject.

Sketches of Printers and Printing in Colonial New York. By Charles R. Hildeburn. Dodd, Mead & Co. 1895. 12mo, pp. xiv, 189.

SIX years ago Mr. Hildeburn issued his tentative 'Check-list' of New York imprints, and now carries his announced 'List of the Issues of the New York Press, 1693-1784' one point nearer completion in the above volume. The author's careful and minute research, already proved in the elaborate 'Issues of the Press of Pennsylvania' and the 'Catalogue of the Tower Collection of Colonial Laws,' is fully sustained in the present work, which is a distinct contribution to our knowledge not merely of printing, but scarcely less so of our early literary annals.

New York occupied a unique position in the colonial period as compared with the only other two centres of printing and literary activity among the provinces. Boston and Philadelphia, while nominally having free presses, were so overpoweringly influenced by a public sentiment colored with Congregationalism or Quakerism that local publications were, for the most part, of merely sectarian interest. Indeed, as the present work shows, writers in both cities opposed to the theocratic majority were in several cases compelled to send their works to tolerant New York in order to get them printed, and Mr. Hildeburn himself is in doubt as to whether the Keithian-Quaker controversy in Philadelphia was not the immediate cause of Bradford's establishing the first press in New York. In still another way this religious influence affected New York's rivals, for the Puritans and Quakers were generally opposed to plays and novels; and thus their influence hung as a dead weight upon any endeavor to produce belles-lettres. To this is due the honor New York has, of having printed the first plays in this country of both American (Hunter's "Androborus," 1714) and European (Addison's "Cato," 1753) production; the first novel (Richardson's 'Pamela,' 1744), and, later, the first edition of 'Robinson Crusoe,' the first volume of fairy tales, and other children's books. Not quite so easy to explain is the appearance here of the first printed protest against slavery (1693), though perhaps accounted for by the fact that New York seems to have never engaged so deeply in the slave trade as either Boston or Philadelphia.

A sketch of each printer is given by Mr. Hildeburn, and his most important books noted, the titles of the more interesting or typical being reproduced in facsimile. In this way thirty-three individuals are recorded who at one time or another composed the printing firms of New York. We can note no omissions from the list, though we should have been glad to see some reference to the printing-press on board Lord Howe's fleet in New York bay in July and August, 1776, on which at least one "Declaration" was struck off. The probabilities are that it was operated by Macdonald and Cameron, for they printed Howe's Declaration of September 19, 1776, and his Proclamation of November 30, and Mr. Hildeburn notes that most of that firm's publications were headed "by authority" or "by permission." This possibly gives a clue to the printers of the "Declaration" of Howe in 1777, which was probably printed on shipboard, being dated "Capes of Delaware," and this surmise corrects the date of the printers' removal to Philadelphia. The perplexity of the bibliography of those years of turmoil is well proved by a fact that Mr. Hildeburn for the first time puts in print:

"One other incident in Gaine's career in connection with his newspaper must be mentioned. It is, I believe, without a parallel in the annals of journalism. At the outbreak of the Revolution, Gaine, after a slight leaning towards the American cause, assumed and maintained a strict neutrality; but when it became likely that the British would occupy New York in September, 1776, he sent one of his presses to Newark, and on the 28th of that month began to issue there a quarto newspaper bearing the name and imprint of 'The New York *Gazette* and the Weekly *Mercury*, Printed by Hugh Gaine, at Newark, in East-New-Jersey,' devoted to the Whig cause, at the same time continuing to issue his neutral paper, of the same name, from his sign of 'The Bible and Crown,' in Hanover Square. The Newark edition was issued two days earlier than the New York one, but, besides bearing the same name, was numbered in sequence with the earliest issued. This was continued until November 2, making duplicate numbers and two papers of different politics from 1301 to 1307. After the battle of Long Island, Gaine concluded the American to be the losing side, withdrew from Newark, and gave his paper a British tone, which it preserved until its termination."

Nor is this the only contribution to the jour-

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nalistic history of New York, for the author corrects Thomas's and Hudson's accounts in so many details as to entirely discredit them both. We note with interest that there was a "New York *Evening Post*" in 1744. For another similarity of conditions between the New York of that period and the New York of today, one paper was called the "Lying *Gazette*," while of another it was said that "the line at the top giving the name of the printer and the price of the paper were the only words of truth in it." Moreover, the "Lying *Gazette*" had what was probably the largest circulation of the day, being thirty-six hundred copies, unless the "circulation lie" was of older origin than is commonly supposed.

Like all Mr. Hildeburn's books, the proof-reading of his latest is wonderfully correct, the only noticeable error being the turning of Benjamin Rush into Benjamin Brush (p. 146). Another small point is that the author apparently is not aware that Mecon printed an edition of "Father Abraham's Speech" in 1758, though his statement, as far as it goes, is absolutely correct. Three engraved portraits, one hitherto unknown, and twenty-three facsimiles are very valuable additions. The book as a whole is a beautiful specimen of the De Vinne Press, and the limited edition of 375 copies will make it appeal to the book-fancier as well as to the scholar.

The Natural History of Plants: Their Forms, Growth, Reproduction, and Distribution. From the German of Anton Kerner von Marilaun, Professor in the University of Vienna, by F.W. Oliver, M. A., D.Sc., Quain Professor of Botany in University College, London. Vol. I. in two parts. New York: Henry Holt & Co. 1895. Large 8vo, pp. 777.

THIS is the excellent English translation of the well-known 'Pflanzenleben' of the Vienna Professor. After an interesting introduction dealing with the study of plants in ancient and modern times, the author brings the reader at once to the very highest ground in the field, from which he can take a wide outlook. This point of view, it is hardly necessary to state, is the doctrine of the protoplasts. It assumes that the minute differentiated granules of living matter within the vegetable organism are all imbedded in the general mass of protoplasm, and that they are thereby brought into contact with one another and with the outer world. All activities reside within these microscopic organs, and it is only by gaining a knowledge of their work that we can hope to understand how the plant performs its manifold functions. Absorption of the materials for the production of food, the conduction of these crude matters to the points where they are made use of in the sunlight, the conveyance of the prepared food to the places where it is employed in work or treasured for future use, and, finally, the phenomena of propagation, are all made clear when the character of the protoplasts is understood. In some treatises the consideration of these minute granules is left to a much later stage in the development of the subject. The wisdom of Prof. Kerner's method is justified by the result. From first to last the reader goes forward with a distinct understanding of the proportions and perspective of vegetal activities. He is inducted with a certain degree of confidence into the more recent discoveries, because the author seems to feel that each person can measure and weigh evidence for himself. It will not be a surprise, therefore, when it is stated that almost all the newer developments, even those which are not yet accepted universally by botanists, are given with a great degree of fulness.

The translation is uneven, but is for the most part of exceptional excellence. Long German sentences are boldly broken into distinct fragments, after a fashion which suggests French editing. The lucidity of style is remarkable, and renders the reading, not to say the studying, a pleasure. We must add that the illustrations are very numerous and telling, and that the treatise is enriched by a series of excellent drawings in color.

BOOKS OF THE WEEK.

American Church Almanac and Year Book for 1896. James Pott & Co. 25c.
Baker, T. A Dictionary of Musical Terms. New York: G. Schirmer.
Baldwin, E. F., and Eisenberg, M. Doctor Cavallo. Peoria, Ill.: J. W. Franks & Sons.
Barton, Samuel. The Battle of the Swash. C. T. Dillingham. 50c.
Björnson, B. Über unsere Kraft: Schauspiel in 2 Teilen. Leipzig: Albert Langen.
Brooks, E. S. The Story of Miriam of Magdala. New York: W. S. Perkins & Co.
Burr ett, J. G. Love and Laughter: Being a Legacy of Rhyme. Putnams. $1.25.
Cawein, Madison. The White Snake, and Other Poems. Louisville, Ky.: J. P. Morton & Co.
Dale, Rev. R. W. The Epistle of James, and Other Discourses. Armstrong. $1.75.
Dwight, T. F. The Virginia Campaign of 1862 under General Pope. Boston: Houghton, Mifflin & Co. $2.
Esler, E. R. 'Mid Green Pastures. James Pott & Co. $1.
Evans, M. A. B. Nymphs, Nixies, and Naiads. Putnams. $1.25.
Foster, Roger. Commentaries on the Constitution of the United States. Vol. I. Boston: Boston Book Co.
Flewellyn, Julia C. Hill-Crest. Boston: *Arena* Publishing Co.
Freeland, William. Algebra for Schools and Colleges. Longmans, Green & Co. $1.40.
Gilbert, J. H. Dictionary of Burning Words of Brilliant Writers. W. B. Ketcham. $2.
Goodwin, Rev. T. A. Lovers Three Thousand Years Ago. Chicago: *Open Court* Publishing Co. 50c.
Goldsmith, Oliver. The Vicar of Wakefield. American Book Co. 35c.
Hudson, T. J. A Scientific Demonstration of the Future Life. Chicago: A. C. McClurg & Co. $1.50.
Ideals: Selections from Various Sources. James Pott & Co.
Keller, Prof. I. Bilder aus der Deutschen Litteratur. American Book Co. 75c.
Lawton, W. C. Folia Dispersa: Poems. New York: Corell Press.
Moore, Aimée O. Studies in the Science of Drawing in Art. Boston: Ginn & Co. 10c.
Müller, F. Max. Sacred Books of the Buddhists. Vol. I. London: Henry Frowde; New York: Macmillan.
Oldboy, Felix. Walks in Our Churchyards. Old New York. New York: G. G. Peck.
Pemberton, T. E. John Hare, Comedian. Routledge & Sons. 50c.
Pierce, G. W. My Soundspeed Discovery. 2d ed. Boston: The Author.
Reynolds, Rev. Grindall. Historical and Other Papers. Concord, Mass.: Alice Reynolds Keyes.
Richard, Edouard. Acadia: Missing Links of a Lost Chapter in American History. 2 vols. New York: Home Book Co. $2.
Ross, C. M. Pinks and Cherries. Glasgow: James MacLehose & Sons; New York: Macmillan. $1.75.
Scheffel, J. V. von. Ekkehard: Eine Geschichte aus dem Zehnten Jahrhundert. Henry Holt & Co. $1.25.
Scheffel. J. V. von. Ekkehard. 2 vols. T. Y. Crowell & Co. $2.50.
Scotland, Bonnie. The Land of Nada: A Fairy Story. Boston: *Arena* Publishing Co.
Scott, Sir W. Ivanhoe. Boston: Houghton, Mifflin & Co. 60c.
Scribner's Magazine, 1895. 2 vols. Scribners.
Seidel, Heinrich. Herr Omnia. American Book Co. 25c.
Steiner, B. C. Citizenship and Suffrage in Maryland. Baltimore: Cushing & Co. $2.
Trent, Prof. W. P. Milton's L'Allegro, Il Penseroso, Comus and Lycidas. Longmans, Green & Co.
Volkman-Leander, Richard von. Träumereien an Französischen Kaminen. American Book Co. 35c.
Wheelwright, Edith G. Anthony Graeme. London: Bentley & Son; Boston: Little, Brown & Co.

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